**Non-Typical Excavation Employee Handbook**

**2023**



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**On the Job**

**1.1 Our philosophy**

We are a team, working together to provide valuable and essential services to our customers. As

part of the commitment to working together we agree to adhere to “on the job” guidelines

that support efficient Company operations and the safety and benefit of all employees.

**1.2 At-Will Employment**

All Company employees are at-will employees.This means that either you or the Company may end the employment relationship at any time, with or without advance notice, and with or without any cause or reason. No representative of the Company, except the Owner, has the authority to enter into any agreement with an employee relating to any term or condition of employment, including without limitation, any agreement for any specified period, or to make any promises or commitments contrary to the foregoing. Further, any employment agreement entered into by the Company is not valid or enforceable unless it is in writing and signed by both parties. The Company may demote, transfer, suspend or otherwise discipline an employee in its sole and absolute discretion.

**1.3 Corrective Action**

As an employee, you are required to meet Company conduct and performance standards. Employees should immediately address and correct unacceptable employee performance or behavior. The Company may, at any time, institute any form of corrective action it deems appropriate in its sole discretion (up to and including immediate termination of employment). While on corrective action, you may not be eligible for job postings, transfers, promotions, or salary increases. At any time following the initiation of a corrective action plan, you are encouraged to discuss your progress with your supervisor or the Executive Director.

**1.4 Attendance, Punctuality and Absences**

You are expected to report to work on time and be able to perform your assigned work duties. Employees are expected to be at work and to return from lunch breaks as scheduled. Employees are also expected to be at their assigned job sites, performing assigned work during all work hours, to work any assigned overtime, and are not permitted to leave work before their scheduled quitting time without prior supervisor approval. Absences and tardiness are disruptive and create issues for the Company’s customers and your co-workers. Good attendance and punctuality, as outlined below, are necessary for continued employment at the Company. Your supervisor may take appropriate disciplinary action, up to and including termination, for unacceptable attendance and tardiness.

**Punctuality**

Punctuality is a requirement of continued employment at the Company. Tardiness is defined as reporting to work late, returning late from lunch or breaks or a pattern of such conduct. Unapproved tardiness may result in disciplinary action up to and including termination.

**Absences**
The Company defines an absence as missing a regularly scheduled workday. Absence types include the following:

* **Planned** — Schedule planned absences as far in advance as possible, with your supervisor’s agreement.
* **Unplanned** — If you must be absent due to illness or emergency, personally and directly notify your supervisor as soon as possible, but no later than thirty (30) minutes before your scheduled starting time
* **Without Notice** — If you are absent from work without personally and directly notifying your supervisor within 48 hours following the start of your scheduled shift, your absence may be considered a voluntary resignation.

Corrective action may be taken as a result of a violation of this section. The Company reserves the discretion to choose the appropriate form of discipline, up to and including termination, in any circumstance.

**Prompt Notice Required**

Employees are expected to give their supervisors as much advance notice as possible (calling no more than thirty minutes (30) after scheduled starting time) of anticipated tardiness, or absence. Employees should explain the reason for the absence or tardiness and when they anticipate their return to work. Supervisors and the Human Resource Manager as a backup should be personally notified on a daily basis unless a return to workday has been established or an alternate arrangement has been established.

**1.5**

**Employee Injury Process**

**If emergent care is needed employee needs to be taken to emergency room or 911 called.**

If injury is not emergent or life-threatening follow the below steps:

1. Bill needs to be called and informed of the incident
2. Incident report must be completed and sent to Challis
3. If care is needed employee must go to nearest WorkMed
4. Employee should not use their personal insurance (visit must be processed through Workers Compensation)
5. Once visit is over, information on care and restrictions (if any) will be relayed to Challis.
6. Non Typical Excavation does provide return to work with restriction accommodations per Doctors notes.

**\*Please note that if employee requires follow care after initial visit, they must return to a WorkMed facility for that care.**

**Payroll**

**2.1 Pay Schedule**

Pay will occur every two weeks. Timecards will be processed every other Monday with payroll paid the following Friday. Employee must inform Bill of changes prior to payroll being processed or they will have to wait until next pay period for payment adjustments to be made.

**2.2 Daily Reports and time keeping**

It is an absolute requirement that daily reports, forms and timecards be completed in Crew Tracks daily. If these are not complete, pay will not be distributed, and entire crew will go without pay for the day not reported.

**2.3 Evaluations**

**Each evaluation will consist of two stages. First will be a self evaluation where the employee will complete the self evaluation portion of the form. Second will be the evaluation completed by the direct leader. Evaluations will occur as follows:**

1. 90-day eval-This is your probation period and initial raises will be evaluated at this time as well as your continued employment.
2. Mid-year Eval- This will be a mid-year check in that will occur around April or May each year.
3. End of year Eval- This evaluation will occur around October of each year. During these evaluations, raises will be considered as well as year-end bonuses with consideration of your mid-year evaluation.

**2.4 Raises and Bonus’**

Raises will be determined at the end of the year by using the overall combined points of the mid-year and end of year evaluations and will be distributed in May.

Bonus’ will be determined by Parker and Cona taking into consideration your total evaluation points for the year.

**Company Policies**

**3.1 Driver Policy**

VEHICLE USE

1. Company Owned Vehicles

A. Company Vehicle

Employees authorized by management will be permitted to operate a company vehicle. Only the employee will be permitted to operate the vehicle.

B. Commercial Vans and Trucks

Employees with appropriate commercial driver's license (if required by the state), authorization from their supervisor and qualified by state and Federal DOT when applicable will be permitted to operate the vehicle.

4. Unauthorized Use of Vehicles

Assigned drivers and other authorized employees will not allow an unauthorized individual to operate a company vehicle. No exceptions! Disciplinary action may be taken. Additionally, if unauthorized use results in an accident, the responsible employee will be required to make restitution for the damages.

DRIVER SELECTION

1. Driver Evaluation:

Employees will be evaluated and selected based on their driving ability. To evaluate employees as drivers, management will:

A. Review past driving performance and work experience through previous employers reference checks. All new employees and current employees recently assigned to driving duties will be required to complete the "Application Addendum For Employment Requiring Driving".

B. Review the employee's Motor Vehicle Record (MVR) annually (more frequently if reasons warrant).

C. Ensure the employee has valid driver's license.

D. Ensure the employee is qualified to operate the type of vehicle he/she will drive.

2. Driver Qualification:

Effective driver qualification controls are important elements of a successful motor vehicle safety program. Management developed and incorporated standards into this program, which reflect the skills necessary for satisfactory job performance while taking into consideration applicable Federal and state regulations.

A. The company has implemented three levels of driver qualification criteria. Use of any or all of these criteria is dependent upon the nature and scope of the driving requirements.

1. State-regulated driver qualification parameters must be met. Regulatory information will be obtained from applicable state departments of transportation and motor vehicle services.

2. Where applicable, drivers will comply with DOT Commercial Driver License (CDL) regulations.

3. Drivers involved in interstate or foreign commerce in vehicles with Gross Motor Vehicle Weight Rating (GMVR) of 10,001 pounds or more, designed to transport 16 or more passengers, including the driver, or used in the transportation of hazardous materials in a quantity requiring placarding under the DOT Hazardous Materials Regulations, are subject to the requirements of the DOT Federal Highway Administration's Federal Motor Carrier Safety Regulations.

4. Drivers involved in intra or interstate operations with GMVR of 26,001 pounds or more must have a CDL license and be enrolled in a DOT Drug and Alcohol Testing Program.

B. The following criteria was established to identify high risk drivers. A driver is unacceptable if the driver's accident/violation history in the past year includes one or more of the following moving violation convictions:

1. Driving under the influence of alcohol or drugs (DWI).

2. Hit and run.

3. Failure to report an accident.

4. Negligent homicide arising out of the use of a motor vehicle.

5. Operating during a period of suspension or revocation.

6. Using a motor vehicle for the commission of a felony.

7. Operating a motor vehicle without the owner's authority.

8. Permitting an unlicensed person to drive.

9. Reckless driving.

1. Speeding (3 or more in a 3 year period).
2. Two preventable accidents in a 12 month period.

Drivers who are identified as high risk or in violation may be subject to several actions from management including, but not limited to:

1. Driver may be required to attend a Defensive or Safety Driving course on their own time & expense.

2. Driver may be required to operate their own personal vehicle on company business.

3. Driver may have their driving privileges suspended or revoked.

**3.2 DRUG AND ALCOHOL POLICY**

The Company maintains a drug- and alcohol-free workplace and complies with the Drug-Free Workplace Act of 1988. The abuse of alcohol and other drugs creates a variety of problems in the workplace, such as increased injuries, increased absenteeism, increased workplace thefts, decreased employee morale, decreased productivity and a decline in the quality of products and services. For this reason, the Company has established the following policies regarding substance abuse.

· The Company prohibits employees from working under the influence of any type of drug (other than appropriately administered over-the-counter medications), including alcohol, unless that drug has been prescribed by a licensed physician and it has been determined that the drug does not cause side effects which could adversely affect job safety or performance.

· The possession, concealment, promotion or sale of illegal substances is prohibited and cause for termination.

· In addition, while the Company understands employees and applicants under a physician’s care are sometimes required to use prescription drugs, abuse of prescribed medication will be dealt with in the same manner as the abuse of illegal substances.

· The Company prohibits employees from using intoxicants on or off the Company’s premises during working hours, including breaks and lunch periods.

· Employees are prohibited from driving Company-owned vehicles while under the influence of alcohol or any other drug or medication that may impair safety.

· The Company reserves the right to test employees to the extent permitted by applicable law to determine if an employee is under the influence of illegal drugs, or whether his/her performance is impaired by use of controlled substances. Additionally, the Company may utilize any medical procedures necessary as permitted by law to determine if an employee is under the influence of illegal drugs or impaired by use of controlled substances. If an employee refuses to provide a sample, or attempts to alter a sample, his/her employment may be terminated.

All employees may be subject to a drug or alcohol test for cause or as required by law.

**Suspected Drug Abuse**

Promptly report to a supervisor any employee whom you believe might be in violation of the Company’s drug and alcohol policy. You may also report suspected violations directly to the Executive Director or board of directors in relation to a concern with the Executive Director.

**3.3 PPE and Safety**

**Nontypical excavation will provide the initial hard hat and vest and will replace hard hart every two years. If PPE equipment is lost, damaged or neglected before that time the cost of replacement PPE will be deducted from employee’s pay.**

Non-Typical Excavation, LLC hereinafter referred to as "The Company” concerned about the protection of its employees from occupational injuries and illnesses. All employees of The Company have and assume the responsibility of working safely. The objective of this program is to: • Provide safety standards specifically designed to cover Personal Protective Equipment (PPE). • Ensure that each employee is trained and made aware of the safety procedures which are associated with Personal Protective Equipment (PPE). Non-Typical Excavation, LLC (here after called THE COMPANY) knows that safe employees and improved employee morale are but a couple of the many benefits of working safely and having an effective safety program. Personal Protective Equipment (here after called PPE) is one tool THE COMPANY uses in their effort to eliminate on the job injuries and illnesses. Our standards require that PPE be used by employees whenever workplace hazards are discovered that could damage any part of the body. In addition, THE COMPANY requires all employees to wear PPE, such as but not limited to, safety glasses, face shields, safety shoes, hearing protection (ear plugs/ear muffs), gloves, etc. as required by their job duties. PPE is to be used as a tool to eliminate and/or reduce the hazards employees face in their daily job duties. NOTE: PPE is not to be used and will not be used as a substitute for safe work practices, machine guards, or other controls designed by equipment manufacturers or other engineering sources. PPE is to be used in conjunction with these controls to increase employee protection. This program serves as a reinforcement of THE COMPANY commitment to the safety and health of its employees. Again, PPE is a tool, which when used correctly, reduces the hazards employees face on the job.

Selection of PPE Once the hazards of a workplace have been identified, the Safety Program Manager will determine if the hazards can first be eliminated or reduced by methods other than PPE, i.e., methods that do not rely on employee behavior, such as engineering controls. If such methods are not adequate or feasible, the Safety Program Manager will determine the suitability of the PPE presently available, and as necessary, will select new or additional equipment that ensures a level of protection greater than the minimum required to protect our employees from the hazards. Care will be taken to recognize the possibility of multiple and simultaneous exposure to a variety of hazards. Adequate protection against the highest level of each of the hazards will be recommended for purchase. All personal protective clothing and equipment will be of safe design and construction for the work to be performed and will be maintained in a sanitary and reliable condition. Only those items of protective clothing and equipment that meet NIOSH or ANSI (American National Standards Institute) standards will be procured or accepted for use. Newly purchased PPE must conform to the updated ANSI standards that have been incorporated into the PPE regulations as follows: • Eye and Face Protection ANSI Z87.1-1989 • Head Protection ANSI Z89.1-1986 • Foot Protection ANSI Z41.1-1991 • Hand Protection (There are no ANSI standards for gloves; however, selection must be based on the performance characteristics of the glove in relation to the tasks to be performed.)

Head Protection-Regulatory requirement are contained in 29 CFR 1910.135 Employees are to wear the proper head protection where there is a potential hazard of falling objects, where overhead work is being performed, or when heavy-equipment operations are being performed in the immediate work area. In other words, if you are working around anything that can fall on your head, hit you in the head, or come loose and knock you in the head you MUST wear a hard-hat. On any THE COMPANY job site on which people are working from scaffolding, or there is heavy equipment operation being performed, ALL EMPLOYEES MUST BE WEARING HARD-HATS. Primarily, hard-hats are to be worn to protect employees against impact, falling, and/or flying objects, and to provide some protection against electrical hazards. The shell, or hard part of a hard-hat, must be stamped with the manufacturer’s name, something along the lines of “ANSI Z-89.1-1969” and the class specification of the hard-hat. • Class A hard-hats are general duty hard-hats offering limited voltage protection. Unless instructed otherwise by Construction Supervisor Class A hard-hats are to be worn on all THE COMPANY construction sites. • Class B hard-hats are to be used when there is an exposure to high voltage. Such as installing electric utility lines. • Class C hard-hats are not to be worn on any THE COMPANY job site. Foot Protection--Regulatory requirement are contained in 29 CFR 1910.136 Employees shall wear protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, and where such employee’s feet are exposed to electrical hazards Safety footwear with impact protection is required to be worn in work areas where carrying or handling materials such as packages, objects, parts or heavy tools, which could be dropped, and for other activities where objects might fall onto the feet. Safety footwear with compression protection is required for work activities involving skid trucks (manual material handling carts), around heavy pipes, or other activities in which materials or equipment could potentially roll over an employee’s feet. Safety footwear with puncture protection is required to prevent foot injuries from occurring where sharp objects such as nails, wire, tacks, screws, large staples, scrap metal, etc., could be stepped on by employees. - 5 - Personal Protective Equipment Policy Minimum Footwear Requirements Employees exposed to foot hazards shall wear sturdy shoes (firm toe and uppers). In work areas containing foot hazards, sandals, moccasins, open-toe shoes or shoes with canvas uppers shall NOT be worn. Shoes with spiked or similar type heels shall not be worn into areas where floor grating is located.

**3.4 Conduct Policy**

The Company is concerned about the safety and security of its employees. Threatening or intimidating behavior, verbal threats or acts of violence will not be tolerated and may be grounds for immediate termination, arrest, prosecution or civil action. Anyone who engages in this behavior may be terminated or sent home on paid or unpaid leave pending an investigation. The Company reserves the right to have any such incident assessed by a professional who specializes in threat assessment.

Weapons, with the exception of non-lethal self-defense devices (e.g., mace or pepper spray), are not permitted on Company premises. The Company reserves the right to search for weapons on Company premises if the Company has a reasonable suspicion that an employee has a weapon in his or her possession, or has threatened violence, in accordance with applicable law.

**Reporting**

Notify your supervisor or the Executive Director if you witness or receive a threat, or if you learn that another person has witnessed or received a threat. Report the incident no matter who was involved or their relationship to each other.

**Protective Orders**

If you apply for or obtain a protective order or restraining order that lists Company locations as protected, send to your supervisor. The Company understands the sensitivity of such information and uses confidentiality measures that recognize and respect your privacy.

**3.5 MOBILE DEVICE POLICY**

## **Overview**

Mobile computing devices (smartphones, tablets, convertible laptops, and various other personal computing devices) are becoming an implementation standard in today’s computing environment. Their size, portability, and ever- increasing functionality are making the devices desirable in replacing traditional desktop devices. However, the portability offered by these devices can also increase security exposure to individuals using the devices.

## **Purpose**

The purpose of this policy is to establish the procedures and protocols for the use of mobile devices and their connection to the network.

## **Scope**

This policy applies to all Non-Typical Excavation staff who use personal devices for business purposes or business-issued mobile computing devices.

## **Policy**

### **GENERAL**

All mobile devices, whether owned by Non-Typical Excavation or owned by staff, that have access to systems and applications are governed by this policy. Applications, including cloud storage software used by staff on their own personal devices are also subject to this policy. The following general procedures and protocols apply to the use of mobile devices:

* Mobile computing devices must be protected with a password required at the time the device is powered on
* All data stored on mobile devices shall be encrypted
* Wireless encrypted security and access protocols shall be used with all wireless network connections
* Staff shall refrain from using public or unsecured network connections while using their mobile device for work
* Personal mobile computing devices that require network connectivity must conform to all Non-Typical Excavation standards for use and configuration
* Unattended mobile computing devices shall be physically secured
* Mobile computing devices that access the Non-Typical Excavation network shall have active and up-to-date anti-malware and firewall protection
* Lost and stolen devices shall have locations services enabled and the units “bricked” or wiped of all information so they are unusable until recovered or destroyed

### **USER DEVICE RESPONSIBILITIES**

The following procedures and requirements shall be followed by all users of mobile devices:

* Mobile devices shall not be used while operating company vehicles or equipment.
* Staff shall immediately report any lost or stolen devices
* Unauthorized access to a mobile device or company data must be immediately reported
* Mobile devices shall not be “rooted” or have unauthorized software/firmware installed
* Staff shall not load illegal content or pirated software onto any mobile device
* Only approved applications are allowed on mobile devices that connect to the Non-Typical Excavation network
* Mobile devices and applications shall be kept up-to-date
* Operating system and application patches should be installed within 30 days of release
* Mobile devices shall have active and up-to-date anti-malware/virus protection software
* All mobile device physical storage partitions shall be encrypted
* Personal firewalls shall be installed and active where available
* Staff shall use Non-Typical Excavation corporate email system when sending or receiving Non-Typical Excavation data
* Staff are responsible for ensuring all important files stored on the mobile device are backed up on a regular basis
* Mobile Device Management (MDM) will be used to enforce common security standards and configurations on devices
* Staff shall not modify configurations without express written authorization from the IT Coordinator. (Ben Nielson)

### **ADMINISTRATIVE RESPONSIBILITIES**

The IT Coordinator or their designee shall ensure:

* Specific configuration settings shall be defined for personal firewall and malware protection software to ensure that that this software is not alterable by users of mobile and/or employee-owned devices.
* Annual security training is provided to users of mobile devices. The content and form of that training shall be decided by the Non-Typical Excavation or their designee. Periodic security reminders may be used to reinforce mobile device security procedures.
* MDM software is used to manage risk, limit security issue, and reduce costs and business risks related to mobile devices. The software shall include the ability to inventory, monitor (e.g. application installations), issue alerts (e.g. disabled passwords, categorize system software (operating systems, rooted devices), and issue various reports (e.g. installed applications, carriers).
* MDM software enforces security features such as encryption, password, bricking, and key lock on mobile devices.
* MDM software shall include the ability to distribute applications, data, and global configuration settings against groups and categories of devices.
* Regular reviews and updates of security standards and strategies used with mobile computing devices.
* Procedures and policies exist to manage requests for exemptions and deviations from this policy.

IT Coordinator shall implement procedures and measures to strictly limit access to sensitive data moving to and from mobile computing devices since these devices generally pose a higher-risk for incidents than non-portable devices.

## **Audit Controls and Management**

On-demand documented procedures and evidence of practice should be in place for this operational policy as part of Non-Typical Excavation. Satisfactory examples of evidence and compliance include:

* Spot user checks for compliance with mobile device computing policies
* Readily available processes and procedures for staff use of mobile devices
* Configuration and support guidelines and procedures for mobile devices
* Communication and device logs of attached units showing appropriate management and monitoring protocols are in place
* Anecdotal and archival communications showing regular implementation of the policy

## **Enforcement**

Staff members found in policy violation may be subject to disciplinary action, up to and including termination.

## **Distribution**

This policy is to be distributed to all Non-Typical Excavation staff and contractors using Non-Typical Excavation information resources.

## **Policy Version History**

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| --- | --- | --- | --- |
| Version | Date | Description | Approved By |

|  |  |  |  |
| --- | --- | --- | --- |
| 1.0 | 05/18/2021 | Initial Policy Drafted | Benjamin Nielson |
|  |  |  |  |
|  |  |  |  |

**The Company is committed to providing a work environment that promotes and protects the safety and health of its employees. Safe practices must be an integral part of all operations. Your supervisor will not consider an assignment efficiently completed unless every precaution and safety rule has been considered. Safety takes precedence over expediency or short cuts.**

**Managers and supervisors implement and enforce policies, procedures and federal, state, and local regulations related to safety. Employees must comply with all safety and health requirements whether established by the Company or by federal, state or local law.**

**You must immediately report hazardous conditions directly to your supervisor without fear of reprisal or retaliation.**

**Some states require periodic safety training. Your supervisor will inform you of required training.**

3.6 Credit Card Policy

The corporate credit card cannot be used to obtain cash advances, bank checks, traveler's checks, or electronic cash transfers for expenses other than those incurred by the assigned employee named on the card, or for personal expenses. Misuses of the card will result in cancellation of the card and withdrawal of corporate credit card privileges. If the card is used for an employee's personal expenses, the employer reserves the right to recover these monies from the employee cardholder. Cardholders will be required to sign a declaration authorizing the company to recover, from their salary any amount incorrectly claimed. To be eligible for a corporate credit card, an employee must travel frequently in the course of his/her duties, purchase significant volumes of goods and services for use by the employer, or incur other regular frequent business expenses of a kind appropriately paid by credit card.

Corporate credit card expenditures must be reconciled and submitted with original receipts to the Accounting/Finance Department within one week from when statements are released. Cardholders who have not reconciled and submitted their monthly expenditure within this period will be asked to reconcile and submit their monthly expenditure immediately. Continued or repeated non-conformance to this policy will result in cancellation of the card and such other actions as appropriate. If the card expenditures are not reconciled and submitted within a month of the statement date or a plausible explanation has not been received by Accounting/Finance Department, the employee's corporate credit card will be cancelled.

Lost or stolen cards must be reported immediately to Nicona

**Employee Benefits**

**4.1 PTO**

* [Paid Time Off (PTO)](https://www.paycor.com/resource-center/is-it-vacation-or-paid-time-off) starts accruing after 1 year. Eligible employees must regularly work at least 40 hours per week. Employees working less than 40 hours per week are not eligible for PTO.

### **Use and Scheduling of PTO**

All PTO requests are subject to your supervisor’s approval as well as team or the project’s staffing needs. We understand that unscheduled absences occasionally happen; however, when possible, PTO should be scheduled in advance. If the frequency of unscheduled absences becomes excessive, corrective actions will be taken, up to and including termination. You must use your PTO hours according to your normal workday. PTO is paid at your regular pay rate and is not subject to overtime.

### **Availability**

You can use your PTO accruals in the pay period following completion of 1 year of employment. All hours you accrue after that time can be used as they are accrued.

### **Accrual and Payment of PTO**

Accruals are based upon years of consecutive employment. PTO will be accrued in lump sums at determined year marks. For employees hitting their 1st year mark anniversary dates will be used to determine when lump sum of PTO is distributed. When using an anniversary date for accrual times the accrual time will be split into two 6-month time frames. If your anniversary falls between January 1-June 30 you will accrue your PTO on July 1. If your date falls between July 1 –December 31 you will accrue your PTO on January 1. After your first year of employment, you will receive 4 days of PTO to be used throughout the year. For every year after your first year, you will receive an additional day to use that year to a max of 10 days per year. After your 1st year you will receive your lump sum of PTO on January 1st. These days must be used within the year they are accrued, or they will be lost. You may not cash out your PTO if it is not used.

|  |  |
| --- | --- |
| **Years of Service**  | **Annual PTO Accrual**  |
| **1** | 4 days |
| **2** | 5 days |
| **3** | 6 days |
| **4** | 7 days |
| **5** | 8 days |
| **6** | 9 days |
| **7** | 10 days |
| **8** | 10 days |

**4.2 Benefits**

Health Insurance: After 60 days employee becomes eligible for health benefits (See Cona about available options.) If signing up for a plan you must do so before you hit your 90 days.

Health Savings Account: This benefit is available to those who also choose a specific health package.

401K: Available after 1 year of employment with a match of contribution up to 4%

**4.3 Holidays:** To be eligible for paid holidays you must have passed your 90 day trial period

**Recognized paid holidays are as follows:**

**-Christmas**

**-New years**

**-Thanksgiving**

**-Memorial Day**

**-4th of July**

**-Labor Day**

**VOLUNTARY TERMINATION**

If you decide to leave your job, notify your supervisor in writing and give your reason(s) for leaving two weeks in advance. The resignation date must not fall on the day that the Company is observing a holiday, unless you work on that day.

Depending on the circumstances, you may be asked not to return to work after you have given notice. The Company has no obligation to pay you for periods after your termination date, even if it is before the expiration date of your notice period, unless otherwise required by law.

If you are absent from work without personally and directly notifying your supervisor within 48 hours following the start of your scheduled shift, your absence may be considered a voluntary resignation.

If you have not properly returned from an authorized leave of absence, or do not properly extend leave, your employment may be considered in a status of voluntary resignation.

**INVOLUNTARY TERMINATION**

The Company “At-Will” policy states that the Company may terminate your employment without notice and with or without cause for any reason not expressly prohibited by law. To conduct its business efficiently, the Company requires you to meet performance, attendance, behavioral standards, and follow Company policies and procedures. You may be subject to disciplinary action, up to and including termination, if you fail to meet these standards.

Involuntary termination is a termination decision made by the Company, including but not limited to, the following:

§ Discharge for reasons of misconduct or misbehavior.

§ Displacement due to reasons not related to individual performance (e.g., position elimination or reduction in force).

§ The end of a seasonal or temporary job.

§ Sale or transfer of a Company-owned entity in which the employee was employed.

§ Serious misconduct as defined below.

**Serious Misconduct**

Certain types of misconduct are serious enough to warrant immediate termination, including, but not limited to:

§ Providing false, misleading or inaccurate information in your employment application.

§ Violations of the Company’s policies prohibiting harassment, discrimination and/or retaliation.

§ Any type of dishonesty.

§ Theft, damage to, or misappropriation of, Company property.

§ Falsifying records or documents.

§ Disclosing confidential information.

§ Violations of laws or regulations applicable to the business of the Company or that impact legitimate business interests of the Company.

§ Borrowing money from customers or other employees.

§ Misuse of funds.

§ Insubordination.

§ Violation of the Drug Policy.

§ Threatening or causing workplace violence.

§ Other circumstances where the Company determines that termination of employment is appropriate.

This list is not exhaustive. The Company reserves the right to terminate employment at its discretion.

**Rehire**

Under certain circumstances, your records may document events that may result in you not being recommended for rehire, even if you voluntarily terminated your employment. It is the policy of the Company not to re-employ those who were terminated for unsatisfactory job performance or violation of Company policy. In all other cases, reemployment is at the sole discretion of the Company.

**PROPRIETARY INFORMATION**

During employment, and when you leave the Company, you may not remove any proprietary data or information regarding the Company, its customers, accounts, services, vendors or suppliers, in any form, whether hard-copy, digital, or in other electronic form. You also must immediately return all such information and records in your possession to the Company.

You may not use any information you gain regarding the Company, its customers, accounts, services, vendors or suppliers in any manner for personal gain or to provide to others, and you may not solicit Company employees, customers, vendors or suppliers for competing business.

**RETURN OF COMPANY PROPERTY**

Upon termination of employment, whether voluntary or involuntary, all employees must return all Company property in their possession and /or control. This includes all records of any kind as well as any electronic, computing, technical, office, or any other type of equipment the Company provided. Employees will be held responsible for the replacement cost of this equipment if it is not returned. Unless required otherwise by applicable law, the value of the equipment may be deducted from the employee’s final paycheck.