

DERBY PRESSURE WASH DPW SALES & SERVICE

901 Ulrich Avenue
Louisville, KY 40219
(502) 966-2564
www.dpwservices.com



Employee Handbook and Safety Manual

Revised: 4.30.2019



Derby Services Employee Handbook & Safety Manual – 2018

TABLE OF CONTENTS PAGE

INTRODUCTION

Welcome to Derby Services... 1
Introduction... 1
Customer Pledge... 2
Purpose of the Employee Handbook... 2
Important Contact Information... 3

100 – RECRUITMENT AND EMPLOYMENT

101 Employment-At-Will... 4
102 Equal Employment Opportunity... 4
103 Americans with Disabilities Act... 5
104 Recruitment... 6
105 Orientation – Probationary Period... 7
106 Reference and Background Checks... 7
107 Employment Applications - Requirements... 8
108 Immigration Law Compliance... 9
109 Social Security Number Privacy Policy... 10
110 Derby Services Information and Communications... 11
111 Promotions and Transfers... 11

200 – EMPLOYEE CLASSIFICATIONS

201 Employment Categories... 12

300 – HOURS

301 Work Schedules for Non-Exempt and Exempt Employees... 13
Meal Time and Breaks... 13
302 Overtime for Non-Exempt Employees... 13
Overtime... 13
303 Safe Harbor Policy... 14
Review Your Paystub... 14
Non-Exempt Employees... 14
Exempt Employees... 15
To Report Violations of This Policy... 16

400 – PAY POLICIES

401 Timekeeping... 17
402 Compensation... 18
Payroll Information... 18
403 Wage Garnishments... 19
404 Expense Reimbursement... 19



Employee Handbook & Safety Manual – 2018

TABLE OF CONTENTS - CONT'D PAGE

500 – EMPLOYEE BENEFITS

501 Benefits 20
Vacation 20
Holidays 21
Health Benefits 22
Individual Retirement Account (IRA) 22
Life Threatening Diseases..... 22
Unemployment Compensation..... 22
Worker’s Compensation 23
502 Bereavement Leave..... 23

600 – JOB PERFORMANCE

601 Job Performance Evaluation 23
Performance Review 23
Performance Evaluation Compensation..... 24

700 – USE OF DERBY SERVICES PROPERTY

701 General Use of Derby Services Property and Safety 24
Office Safety 24
702 Bulletin Board..... 25
703 Theft and/or Vandalism / Parking 25
704 Personal Property 26

800 – WORKPLACE BEHAVIOR

801 Workplace House Rules..... 26
802 Progressive Discipline 29
803 Customer Relations, Business Ethic, And Conduct 30
Customer Relations..... 30
804 Attendance and Punctuality 31
805 Drug and Alcohol-Free Workplace..... 32
Statement of Policy 32
Definitions 32
Prescription and/or Legal Drugs 33
Illegal Drugs 33
Alcoholic Beverages 33
Disciplinary Action 34
Illegal Drug Abuse or Prescription Drug or Alcohol Use on the Job 34
Safety of Workforce; Work Rules; Drug and/or Alcohol Tests 34
Refusal to Comply with Management Request for Screening 35
806 Non-Discrimination and Anti-Harassment Policy 36
Anti-Discrimination / Harassment 36
Anti-Harassment – Sexual and Non-Sexual 36
Anti-Racial / National Origin Harassment 37



Employee Handbook & Safety Manual – 2018

TABLE OF CONTENTS - CONT'D		PAGE
	Employee Recourse	37
	Anti-Bullying Policy	38
	Whistleblower Protection Policy	39
807	Policy Prohibiting Violence in the Workplace	40
	Reporting Requirements	41
	Prevention	41
808	Firearms, Weapons-Free Workplace	42
	Statement of Policy	42
	Definitions	42
	Signs	42
	Communication Policy	42
	Prohibited Conduct	43
	Search.....	43
	Discipline.....	43
809	Smoking	44
810	Personal Appearance / Dress Code Guidelines	44
811	Workplace Safety Dress Guidelines	45
812	Vehicle Operation Policies and Regulations.....	46
	Personal Automobile Use	46
	Policies and Regulations	46
	Before You Drive Derby Services' Trucks.....	47
	Procedures for Reporting an Auto Accident.....	48
 900 – OTHER GUIDELINES		
901	Workplace Safety	49
902	Hazard Communication Standard (Safety Data Sheets) SDSs	49
	Non-Routine Tasks	49
903	Security Inspections.....	50
904	Occupational Injury and Illness	51
	Accident / Incident Investigation.....	51
	Reporting	51
	Gathering Information	51
	Analyze the Information	52
	Risk Control Measures.....	53
	Worker's Compensation Claim.....	53
	Paperwork Requirements to File Worker's Compensation Claim.....	53
	Worker's Compensation Insurance.....	53
 1000 – COMPUTERS, EMAIL, PHONES, AND INTERNET		
1001	Email, Voicemail, Internet.....	54



Employee Handbook & Safety Manual – 2018

TABLE OF CONTENTS - CONT'D **PAGE**

1100 – LEAVE AND TIME OFF

1101 Personal / Sick Time 56
 Family and Other Leave / Federal FMLA Rights 56
1102 Jury Duty 57

1200 – RECORDS AND OTHER PROCEDURES

1201 Personnel Records 58
1202 Employment Verifications 58
1203 Employee Problem Resolution Program 59
 Complaint Procedure 59

1300 – ENDING EMPLOYMENT

1301 Notice Period62
 Leaving Employment.....62
 Return of Property62
 Pay at Time of Separation.....63

FORMS

- Employee Handbook Form
- Safety Equipment Form
- Tools & Supplies Form
- Other Company Property Form
- Seatbelt Form
- Alcohol/Drug Form
- Absentee Form
- Credit/Fuel Card Form
- Emergency Contact Form
- Hourly Pay Scale Form
- Direct Deposit Form



WELCOME TO DERBY SERVICES

Welcome to Derby Pressure Wash and DPW Sales & Service (collectively referred to as “**Derby Services**”). We want to personally welcome you to our cleaning family!

Our family consists of people who started in the same position as you, at the entry level and, everyone has been raised to a different position to better serve our customers. We have prepared this handbook for the specific purpose of showing you how to achieve your place to better serve the most important people we know ... Our Customers.

Please read this material carefully. There are many important safety requirements that you will need to follow to make your employment an asset to our customers, and a safe, long, and pleasant one for you.

Have A Clean Day!®
Derby Pressure Wash
DPW Sales & Service

INTRODUCTION

At Derby Services, our business is helping the public stay clean, safe, and up to code. Our wide-ranging programs and services, combined with our knowledge and expertise, guarantee we have customers covered from start to finish.

Founded in 1975, we’ve had over 40 years’ experience in helping restaurants, manufacturers, commercial businesses big and small, and homeowners . Our focus is providing the best possible customer experience in the pressure washing and fire suppression industry!

We started as a small company, but that has changed in recent years. Our growth means good news for you, too, since we’ve added more people to help you get exactly the service you are looking for. We are truly a one-stop shop for pressure washing, parts, sales, service, and fire suppression!

Derby Services are proud members of:

- ♦ International Kitchen Exhaust Cleaning Association
- ♦ Kentucky Restaurant Association
- ♦ Power Washers of North America



CUSTOMER PLEDGE

The first policy a good employee must understand is that “THE CUSTOMER IS ALWAYS RIGHT”. We are not saying that we will always agree with a customer’s feelings; neither are we expressing that you, the employee, have no merit for your opinion. The employee must act as though the customer is right and project the responsibility to the office or salesman. Never be disrespectful to the customer’s opinion. A customer is very responsive to how you act and handle your equipment when in his/her presence. When you leave a customer’s premises, the impression you leave them with is the impression of the entire company. An employee who acts disrespectful to a customer will not work for Derby Services. You are the “NUMBER ONE SALES FORCE” we have. Do not complain about your stops in front of a customer. Complaints about; too hard, too much trouble, not enough pay, long hours, etc. will not be spoken in the presence of a customer. If you do have any complaints of this nature, please take them to your team lead or the front office; we would like to hear your suggestions.

PURPOSE OF THE EMPLOYEE HANDBOOK

This handbook will provide you with general information concerning Derby Services and your responsibilities. It cannot anticipate every question you may have and it is not designed to provide specific practices or policies for every situation. Questions concerning specific practices and policies, or how the general rules and policies apply, should be discussed with your supervisor. Read this handbook carefully and keep it for future reference.

This handbook is prepared for informational purposes only. Derby Services reserves the right to interpret, modify, revoke, suspend, amend, terminate, or change any or all such plans, policies and procedures, in whole or in part, at any time without notice.

This manual should not be construed as, and does not constitute, a contract of employment. The relationship between you and Derby Services is an employment-at-will relationship. This means that the employment relationship is by mutual consent of you and Derby Services. The employment relationship is not for any definite period of time. While it is expected that your employment with Derby Services will be rewarding and long-term, either you or Derby Services may terminate the employment relationship at any time with or without notice, for any reason or no reason at all, with or without cause. It should also be understood that no representative of Derby Services, other than the President, has any authority to enter into any agreement of employment for any specified period of time, or to make any agreement contrary to the foregoing. Furthermore, if the President makes any such agreement, it shall not be enforceable unless it is in writing and signed.

Nothing in this handbook, or in any other written materials or verbal statements provided by Derby Services representatives, shall limit either you or Derby Services’ right to so terminate the



Employee Handbook & Safety Manual – 2018

employment relationship. These statements about the at-will nature of employment constitute the entire understanding between Derby Services and its employees regarding this subject.

Derby Services will not have policies and/or procedures, nor make any decisions, that are contrary to any federal, state, or local law. Some subjects, such as benefits described in this handbook, are covered in detail in official policy documents. Refer to these documents for specific information because the handbook only briefly summarizes those guidelines and benefits.

Derby Services Management team shall have the right to unilaterally review and revise this employee handbook periodically, including changes necessary for clarification or as recommended by legal counsel. Changes to this handbook will be communicated to the staff as soon as approved and available.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee's rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.

IMPORTANT CONTACT INFORMATION

James E. Roberts, Jr.

President – Operations
(502) 639-9793
(502) 966-2564

Rory W. Wilson

VP – Sales & Marketing
(502)639-1820
(502) 966-2564

Stefanie Reas

Scheduling Manager
(502) 966-2564
(502) 424-3864

Kimberly Tarrence

Accounting & HR Manager
(502) 966-2345
(502) 202-9731



SECTION 101: EMPLOYMENT-AT-WILL

Employment with Derby Services is voluntarily entered, and employees are free to resign at any time, with or without cause. Similarly, Derby Services may terminate your employment at any time, for any reason, with or without cause.

Policies, guidelines, and practices set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Derby Services and any of its employees. The provisions of this handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended, modified, or revoked at any time, at the sole discretion of Derby Services. These provisions supersede all existing and prior policies, guidelines and practices and employee handbooks.

This handbook is designed to acquaint you with our Derby Services and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment.

It is not our intention to cover every facet or question about our Derby Services policies and procedures. Derby Services, therefore, without prior notice, at any time, and for any reason, reserves the right to modify these policies and apply them in a manner that retains sole discretion in Derby Services. Any revised information may supersede, modify, or eliminate existing policies. The President of Derby Services shall approve any revisions to the policies of this handbook.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee's rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.

SECTION 102: EQUAL EMPLOYMENT OPPORTUNITY

At Derby Services, we believe that diversity enriches our performance, the communities in which we live and work, and the lives of our employees, customers, vendors, and the community. As our workforce evolves, our efforts to understand, value and incorporate differences become increasingly important.

Derby Services is an Equal Opportunity Employer (EOE). It is the policy of Derby Services to extend equal opportunity to all qualified staff members and applicants for employment without respect to race, color, religion, national origin, LGBTQ status, veteran status, sex, age, disability, or any other protected class under the law. Derby Services does not condone and will not tolerate discrimination, intimidation, or harassment based on these factors, and sexual harassment is



Employee Handbook & Safety Manual – 2018

prohibited whether directed toward women or men. Such conduct will subject the employee to disciplinary action, up to and including immediate termination.

In all hiring and employment practices, Derby Services makes every effort to ensure that it does not discriminate against employees and applicants. This policy addresses Derby Services' commitment to providing equal opportunity employment for all employees and applicants and to promoting diversity in the workplace.

Derby Services will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

If you feel you have been subjected to any form of discrimination, you should contact your immediate supervisor as soon as possible after the incident. If this is not possible or appropriate under the circumstances, you are free to report the incident to Human Resources and/or a management team member. Derby Services will immediately undertake an effective, thorough, and objective investigation. If Derby Services determines that discrimination, harassment, or unacceptable conduct has occurred, effective remedial action will be taken commensurate with the severity of the offense. Derby Services will not retaliate against any employee who files a complaint or participates in an investigation and will not permit retaliation by management or co-workers.

Opportunity at Derby Services is based on merit and qualifications irrespective of race, color, religion, national origin, veteran status, sex, age, disability or any other protected class under the law. **We do not tolerate** any employee engaging in harassment or discrimination of any kind. Please see our “Non-Discrimination and Anti-Harassment Policy” and our “Sexual Harassment Policy.”

SECTION 103: AMERICANS WITH DISABILITIES ACT

The Americans with Disabilities Act (ADA) is a comprehensive federal civil rights law specifically for individuals with disabilities. It gives certain protection to qualified individuals with disabilities.

Derby Services complies with the ADA to ensure that qualified applicants and employees with a known disability, who are able to perform the *essential functions* of the job, with or without *reasonable accommodation*, and whose employment does not pose a threat to their health and safety or that of others, are provided equal employment opportunity.

If you have any questions, you should contact the Human Resource Director or the U.S. Department of Labor: <https://www.dol.gov/general/topic/disability/ada>, or the EEOC: <https://www.eeoc.gov>.



SECTION 104: RECRUITMENT

Derby Services is committed to attracting and retaining superior employees in order to enhance our continued dedication to service excellence. It is the policy of Derby Services to have a wide variety of recruiting resources available in order to have a selection of candidates for each position to result in the best fit for the candidate and Derby Services.

In general, and to the best extent possible, our recruiting process involves an internal and external search. Derby Services selects the best-qualified candidate for the position.

Derby Services is an Equal Opportunity Employer (EOE). It is our policy to extend equal opportunity to all qualified staff members and applicants for employment without respect to race, color, religion, national origin, veteran status, sex, age, LGBTQ status, disability, or any other protected class under the law. We do not condone and will not tolerate discrimination, intimidation, or harassment based on these factors, and sexual harassment is prohibited whether directed toward women or men. Such conduct will subject any employee to disciplinary action, up to and including immediate termination.

All candidates *may* be subject to post-offer employment screenings. These screenings may include, but are not limited to, drug screens, criminal history background checks, medical examinations (in those positions where this is required), and Social Security Administration verifications. In addition, prior to an offer of employment, candidates may be subject to reference checks regarding previous work history where available. Further, all offers of employment are contingent on verification of the employee's right to work in the United States.

On the first day of work, Derby Services will request the employee to provide original documents verifying their right to work and to sign a verification form required by federal law. If at any time the employee cannot verify their right to work in the United States, Derby Services may be obliged to terminate their employment.



SECTION 105: ORIENTATION - PROBATIONARY PERIOD

For newly hired employees, during your first three (3) months (90 days) of employment we will spend time with you reviewing Derby Services' policies and procedures. During this time, you will have a good look at us and we at you. You will become more familiar and learn more about Derby Services, as well as the opportunities and responsibilities of being an employee. Our purpose is to orient you to our way of doing business. This can often at times result in tasks that are unexpected. It is important however, that you understand all aspects of the service you are providing our customers. You will also learn about the unique way our company operates and you will come to understand that your attendance is imperative to your crew members. Because of this, 3 or more unexcused absences during your probationary period will result in termination. Completion of the 90-day period does not affect or diminish your **At-Will** status. Employees are encouraged to ask questions about their specific job responsibilities and about being an employee at Derby Services. You may become eligible for Derby Services benefits as specified in this employment handbook.

Derby Services reserves the right to extend the probationary period for any additional period as determined appropriate given the circumstances involving the employee.

**During the probationary period, the employee is not eligible for benefits.*

SECTION 106: REFERENCE AND BACKGROUND CHECKS

EMPLOYMENT REFERENCE CHECKS

Candidates applying for a position with Derby Services may be required to submit to a background check depending on the nature of the position. Change in job status may also require a current employee to undergo a background check. The results of this process may deem an employee ineligible to fill certain job positions within Derby Services. Derby Services will protect the confidentiality of any results received through this process.

CRIMINAL CHECKS

Derby Services uses third parties to conduct criminal background checks. Derby Services will comply with federal law that protect applicants and employees from discrimination. That includes discrimination based on race, color, national origin, sex, LGBTQ status, religion; disability; genetic information (including family medical history); and age (40 or older).

In addition, Derby Services, to the extent required, will comply with the Fair Credit Reporting Act (FCRA) with regard to conducting criminal background checks. The Federal Trade Commission (FTC) enforces the FCRA.



Employee Handbook & Safety Manual – 2018

In conducting criminal background checks and convictions, Derby Services complies with the EEOC guidelines regarding the use of criminal background checks and specifically follows the “Green Factors” set forth in *Green v. Missouri Pacific Railroad*. The “Green Factors” require Derby Services to evaluate the criminal background check report under the following test which assesses whether an exclusion is job-related for the position in question and consistent with business necessity:

- The nature and gravity of the offense or conduct;
- The time that has passed since the offense or conduct and/or completion of the sentence; and
- The nature of the job held or sought.

To the extent that the criminal background check reveals conduct that would exclude the person from the specific job applied for after applying the “Green Factors,” and to the extent that the basis for denying the job was related to the criminal background check, Derby Services will send out an appropriate letter to the prospective employee explaining the basis for denial of the job. The prospective employee shall have ten days after the date of the correspondence explaining the basis for denial of the job to contact Derby Services and schedule a meeting explaining how the criminal background conduct should not exclude him/her. Failure by the prospective employee to contact Derby Services within the ten (10) day period as provided above, shall constitute of waiver of such right to engage Derby Services regarding the decision to deny employment. If you have any questions regarding your rights, please feel free to contact the Human Resource Department at Derby Services or the EEOC at www.eeoc.gov.

SECTION 107: EMPLOYMENT APPLICATIONS - REQUIREMENTS

Derby Services relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, disciplinary action up to and including termination of employment.

PERSONNEL DATA CHANGES

For your protection, convenience, and benefit, you are requested to notify Human Resources immediately of any change in your name, address, phone number, or number of dependents. Keeping this information accurate enables us to reach you in an emergency, forward your mail and W-2 forms, maintain your insurance and other benefits and compute your payroll deductions. This personal information will be handled with complete confidence. We will not supply personal information to unauthorized individuals.



SECTION 108: IMMIGRATION LAW COMPLIANCE

All employees of Derby Services are required by federal law to verify their authorization to work in the United States. In compliance with the law, Derby Services prohibits discrimination in hiring, recruiting, referring for a fee, or discharging any person based on citizenship and national origin.

The U.S. Immigration and Naturalization Services requires that Derby Services and candidates for employment provide specific information within three (3) days of commencing employment. Candidates for employment must complete Section 1 of Form I-9 and provide Derby Services with specific documents to establish their identity and employment eligibility.

Identity can be established by providing documentation such as a current state-issued driver's license, state-issued identification card, or similar document such as a school I.D. with photograph, voter's registration card, or military service record.

An employment eligibility document is a valid Social Security card, a birth certificate, or any immigration document.

Derby Services believes in strict compliance with I-9 policies. Derby Services will not accept any deviation in compliance with the I-9 processes. An employee that fails to comply with the I-9 requirements will be immediately terminated.

It is the policy of Derby Services that training on I-9 compliance is a priority and the following will occur:

1. The most senior Human Resources staff will always be trained on Form I-9 retention procedures.
2. All I-9s will be maintained in a central location and will be accessible in a manner that allows them to be produced in accordance with government Derby Services requests.
3. That every newly hired employee shall be E-Verified prior to hire.

The senior Human Resources staff will be responsible for storing, tracking re-verification, and purging I-9s appropriately.



SECTION 109: SOCIAL SECURITY NUMBER PRIVACY POLICY

Derby Services has adopted a Social Security Number Privacy Policy. The purpose of the Social Security Policy and this policy is to ensure, to the extent possible, the confidentiality of social security numbers, to prohibit the unlawful disclosure of social security numbers, to limit the persons who have access to the information and documents that contain social security numbers, and to set forth and practice proper procedures for the disposing of documents which contain social security numbers.

In the regular course of business, Derby Services collects and maintains documents which contain social security numbers, under conditions and circumstances allowed by law. In accordance with Derby Services policy, and as required by law, all or more than four (4) sequential digits of a social security number may not be placed on identification cards, badges, time cards, employee rosters, bulletin boards, permits, licenses, or any other materials or documents for public display. Documents, materials or computer screens that display all or more than four (4) sequential digits of a social security number may not be disclosed for public viewing and is limited only to authorized personnel who have a business reason for reviewing such information.

All documents containing social security numbers must be stored in a physically secure manner so that only authorized personnel have access to such information. Social security numbers may not be stored on computers or electronically unless they are secured from unauthorized access. Only management personnel who have legitimate business reasons to know may have access to records containing social security numbers. Social security numbers must be kept private and secure at all time. Documents may not be sent through the mail which contain all or more than four (4) sequential digits of a social security number, if the number can be seen through the envelope window or is otherwise visible from the outside of the envelope or package.

If documents containing social security numbers need to be disposed of, such disposal must be done in such a way to protect the confidentiality of the social security numbers. It is the policy of Derby Services that this is done by shredding.

Violations of the Social Security Privacy policy will result in discipline up to and including discharge. Employees are encouraged to immediately report any violations of this policy to the Human Resource Director.



SECTION 110: DERBY SERVICES INFORMATION AND COMMUNICATIONS

Derby Services offers a variety of information sources for employees, so that they may be informed of Derby Services developments, changes, and procedures. Examples of such sources include mandatory paid crew meetings, office memos, email updates, website, etc. As part of your job performance, you are expected to avail yourself of these information sources. You will be held accountable for compliance with Derby Services directives that have been communicated through these sources.

SECTION 111: PROMOTIONS AND TRANSFERS

PROMOTIONS

Derby Services attempts to promote from within whenever possible. However, Derby Services reserves the right to look outside this Derby Services' personnel for qualified candidates. Derby Services endeavors to hire the best applicants based on their job-related qualifications. Approved promotions will be issued in writing by management.

DEPARTMENT TRANSFER

At the request of a full-time employee in writing, Derby Services will transfer the employee either within the employee's own department or between departments. Derby Services only allows department transfers after completing the 6-month evaluation period. When transferring positions, the following conditions must be met:

- Applicable reason for transfer.
- Proper qualifications and a good work record.
- Signed approval of present and future department head.

Candidates requesting a promotion or transfer maybe be required to undergo renewed background checks, testing, and other requirements. Approved transfers will be issued in writing by management.



SECTION 201: EMPLOYMENT CATEGORIES

It is the intent of Derby Services to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and Derby Services. The following are our employment category definitions:

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

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

Derby Services has established the following categories for both nonexempt and exempt employees:

- **Regular Full-Time:** Employees who are not in a temporary status and who are regularly scheduled to work the company's full-time schedule of 37.5 hours per week. Generally, these employees are eligible for the full benefits package, subject to the terms, conditions, and limitations of each benefits program.
- **Regular Part-Time:** Employees who are not in a temporary status and who are regularly scheduled to work less than the full-time schedule but at least 20 hours each week. Regular, part-time employees are eligible for some of the benefits offered by the company subject to the terms, conditions, and limitations of each benefits program.
- **Temporary Full-Time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.
- **Temporary Part-Time:** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work less than the company's full-time schedule for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.



IT IS THE INTENT OF DERBY SERVICES TO FULLY COMPLY WITH THE FAIR LABOR STANDARDS ACT (FLSA) WITH REGARD TO ITS CLASSIFICATION OF EMPLOYEES. IF YOU FEEL YOU HAVE BEEN MISCLASSIFIED, PLEASE IMMEDIATELY CONTACT YOUR SUPERVISOR OR THE HUMAN RESOURCE DEPARTMENT.

SECTION 301: WORK SCHEDULES FOR NON-EXEMPT AND EXEMPT EMPLOYEES

We expect to pay you for the time you work, but likewise, we expect you to work the time for which you are paid. You will be required to work at least 8-to-10 hours per day, for every day you are scheduled. If you cannot work a full day, notify the office a minimum of six (6) hours before you are scheduled to begin your shift.

It is just as important to return from lunch promptly as it is to arrive on time at the beginning of your shift.

If, for any reason, you cannot report for work on time, telephone your supervisor as far in advance of your starting time as possible. State why you will be late and when you expect to arrive.

Overtime may be necessary from time to time, depending largely on the service excellence to our customers. When necessary, overtime will be authorized in advance by your supervisor.

MEAL TIME AND BREAKS

Unless otherwise scheduled by Derby Services, the timing of meals and other permitted breaks should be coordinated by employees with their supervisors and coworkers. These breaks are not to exceed the amount of time that we have designated. Employees who work eight (8) hours or more will receive (2) 10-minute breaks - one (1) in the morning and one (1) in the afternoon. Federal law requires that these breaks shall be included as regular work hours. Lunch breaks are thirty (30) minutes unpaid and are only offered to employees who work at least eight (8) hours.

SECTION 302: OVERTIME FOR NON-EXEMPT EMPLOYEES

OVERTIME

There may be times when Derby Services cannot meet its operating requirements or other needs during regular working hours. If this happens, we may schedule employees to work overtime hours. When possible, Derby Services will try to give you advance warning of a mandatory overtime assignment.

If you are scheduled to work overtime, you are required to work.



It is our policy that no overtime can be worked without the approval and authorization of the supervisor. Derby Services tries to distribute overtime assignments fairly among all employees who are qualified to perform the required work. Working overtime without authorization will result in disciplinary action including but not limited to termination.

Nonexempt employees will receive overtime pay in accordance with the federal and state wage and hour law. Overtime pay is based on the actual hours worked. For this reason, time off for sick leave, holiday, vacation, and other unpaid leaves of absence is not counted as hours worked when calculating overtime pay. Overtime is paid after the first 40 working hours in each week.

Derby Services work week starts on Sunday and ends on Saturday. Each employee is responsible for confirming their time sheet, complete with job number and cost code, has been submitted to the office on Monday mornings.

Overtime work must always be approved by your supervisor.

IT IS THE INTENT OF DERBY SERVICES TO FULLY COMPLY WITH ALL STATE AND FEDERAL LAW, INCLUDING THE FLSA. IF YOU BELIEVE YOU HAVE NOT BEEN PAID FOR WORK, YOU MUST IMMEDIATELY CONTACT YOUR SUPERVISOR SO THAT CORRECTIVE ACTION CAN BE TAKEN. PLEASE REVIEW SAFE HARBOR POLICY CONTAINED IN THIS EMPLOYEE HANDBOOK.

SECTION 303: SAFE HARBOR POLICY

It is our policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal law. To ensure that you are paid properly for all time worked and that no improper deductions are made, you must record correctly all work time and review your paychecks promptly to identify and to report all errors. You also must not engage in off-the-clock or unrecorded work.

REVIEW YOUR PAY STUB

We make every effort to ensure our employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to our attention, we promptly will make any correction that is necessary. Please review your pay stub when you receive it to make sure it is correct. If you believe a mistake has occurred or if you have any question, please use the reporting procedure outlined below.

NON-EXEMPT EMPLOYEES



Employee Handbook & Safety Manual – 2018

If you are eligible for overtime pay or extra pay (including pay due under our handbook or a collective bargaining agreement), you must maintain a record of the total hours you work each day. These hours must be accurately recorded. You must record accurately all regular and overtime hours worked, any absences, early or late arrivals, early or late departures and meal breaks. When you receive each pay check, please verify immediately that you were paid correctly for all regular and overtime hours worked each workweek.

EXEMPT EMPLOYEES

If you are classified as an exempt salaried employee, you will receive a salary which is intended to compensate you for all hours that you may work for Derby Services. This salary will be established at the time of hire or when you become classified as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work you perform.

You will receive your full salary for any workweek in which work is performed. However, under federal law, your salary is subject to certain deductions. For example, absent contrary state law requirements, your salary can be reduced for the following reasons in a workweek in which work was performed:

- * Full day absences for personal reasons, including vacation.
- * Full day absences for sickness or disability.
- * Full day disciplinary suspensions for infractions of safety rules of major significance (including those that could cause serious harm to others).
- * Family and Medical Leave absences (either full or partial day absences).
- * To offset amounts received as payment for jury and witness fees or military pay.
- * Unpaid disciplinary suspensions of one or more full days for significant infractions of major workplace conduct rules set forth in written policies.
- * The first or last week of employment in the event you work less than a full week.

Your salary also may be reduced for certain types of deductions, such as: your portion of health, dental, or life insurance premiums; state, federal, or local taxes, Social Security; or voluntary contributions to a 401(k) or pension plan. In any workweek in which you performed any work, your salary will not be reduced for any of the following reasons:

- * Partial day absences for personal reasons, sickness, or disability.
- * Your absence because the facility is closed on a scheduled work day.
- * Absences for jury duty, attendance as a witness, or military leave in any week in which you have performed any work.
- * Any other deductions prohibited by state or federal law.



PLEASE NOTE: You will be required to use accrued vacation, personal or other forms of paid time off for full or partial day absences for personal reasons, sickness, or disability.

To Report Violations of This Policy, Communicate Concerns, or Obtain More Information:

It is a violation of Derby Services' policy for any employee to falsify the time worked or to assist another employee in falsely reporting time worked. It is also a serious violation of Derby Services policy for any employee or manager to instruct another employee to incorrectly or falsely report hours worked or to under- or over-report hours worked. If any manager or employee instructs you to (1) incorrectly or falsely under- or over-report your hours worked, (2) alter another employee's time records to inaccurately or falsely report that employee's hours worked, or (3) conceal any falsification of time records or to violate this policy, do not do so. Instead, report it immediately to the Human Resources Department.

You should not work any hours outside of your scheduled work day unless your supervisor has authorized the unscheduled work in advance. Do not start work early, finish work late, work during a meal break or perform any other extra or overtime work unless you are authorized to do so, and that time is recorded on your time card. Employees are prohibited from performing any "off-the-clock" work. "Off-the-clock" work means work you may perform but fail to report on your time card. Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.

If you have questions about deductions from your pay, please contact Human Resources immediately. If you believe your wages have been subject to any improper deductions or your pay does not accurately reflect all hours worked, you should report your concerns to a supervisor immediately. If a supervisor is unavailable or if you believe it would be inappropriate to contact that person (or if you have not received a prompt and fully acceptable reply within three business days), you should immediately contact Human Resources or the Manager of Payroll.

Every report will be fully investigated and corrective action will be taken, up to and including discharge of any employee(s) who violates this policy.

In addition, Derby Services will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in Derby Services' investigation of such reports. Retaliation is unacceptable. Any form of retaliation in violation of this policy will result in disciplinary action, up to and including discharge.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee's rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.



SECTION 401: TIMEKEEPING

Each employee is required to have a record of hours worked. In departments using time clocks, the follow regulations will apply:

- Employees are required to use the time clock system to record their start time and must clock out when they go off duty.
- Employees should clock in no sooner than five (5) minutes before or after their scheduled shift and clock out no later than five (5) minutes before or after their scheduled shift.
- If an employee misses the window for clocking into the timekeeping system, the employee should notify their manager as soon as possible. Employees who repeatedly miss time clock entries will be subject to disciplinary action up to and including termination.
- Employees should not clock out for designated 15-minute break times and must stay in the assigned work area or designated break area(s) during their break.
- Under no circumstances are you to punch in for another associate or permit anyone to punch in for you.
- Under no circumstances are you to be punched in while away from your worksite or while you are not performing your job duties unless otherwise noted by your General Manager.
- Employees are required to clock out any time they leave the work site for any reason other than assigned work duties.
- Falsification of time cards is grounds for immediate termination.

Violations of these procedures may result in disciplinary actions, up to and including termination. If you believe at any time that you have not been paid for hours worked, **YOU MUST** immediately contact your supervisor at which time every effort will be made to resolve the issue. Failure to follow this policy may lead to discipline up to, and include, discharge.

Derby Services will never knowingly violate any State or Federal Law regarding payment of compensation and retaining business records. To the extent you are aware of any employee violating the law with regard to payment of compensation or retaining business records related to compensation, you must immediately report this issue to the Human Resource Department

IT IS THE INTENT OF DERBY SERVICES TO FULLY COMPLY WITH ALL STATE AND FEDERAL LAW DERBY SERVICES INCLUDING THE FLSA. IF YOU BELIEVE YOU HAVE NOT BEEN PAID FOR WORK, YOU MUST IMMEDIATELY CONTACT YOUR SUPERVISOR SO THAT CORRECTIVE ACTION CAN BE TAKEN. PLEASE REVIEW SAFE HARBOR POLICY CONTAINED IN THIS EMPLOYEE HANDBOOK.

Failure to strictly comply with this policy will result in discipline up to and including termination.



IT IS THE INTENT OF DERBY SERVICES TO FULLY COMPLY WITH ALL STATE AND FEDERAL LAW, INCLUDING THE FLSA. IF YOU BELIEVE YOU HAVE NOT BEEN PAID FOR WORK, YOU MUST IMMEDIATELY CONTACT YOUR SUPERVISOR SO THAT CORRECTIVE ACTION CAN BE TAKEN. PLEASE REVIEW SAFE HARBOR POLICY CONTAINED IN THIS EMPLOYEE HANDBOOK.

SECTION 402: COMPENSATION

Derby Services strives for exceptional services to our customers, employees, and our community. Therefore, we believe it is in our best interest to fairly compensate our employees for the value of the work provided. On an on-going basis, we determine the current market value of our positions based on the skills, knowledge, and behaviors required for a fully competent employee in that position. The purpose of our compensation program is to be flexible enough to ensure that we are able to attract and retain a highly qualified workforce, while providing the structure necessary to effectively manage our overall compensation program.

Our process is objective and non-discriminatory in theory, application, and practice. All employees will be compensated fairly regardless of race, color, religion, sex, national origin, age, disability, veteran status, or any other protected class under the law.

As *relevant* labor market rates fluctuate in response to the supply and demand of labor and other economic factors, pay may be adjusted following the appropriate Derby Services directed research and budgetary approvals. Derby Services periodically reviews its pay and makes necessary adjustment recommendations based on being externally competitive and internally equitable. More frequent adjustments may be made in response to a volatile market or specific organizational needs. Employees may be eligible to receive corresponding wage adjustments, based upon satisfactory job performance and current pay. Any pay adjustments are administered in a fair and equitable manner.

PAYROLL INFORMATION

The payroll period for Derby Services starts on Sunday and ends on Saturday. Derby Services pays employees every Friday for hours worked during the previous payroll period.

Derby Services requires direct deposit of your paycheck. If you elect to receive a paper check, it will be mailed, using regular U.S. mail, on payday.

If a holiday occurs on a Friday, direct deposit earnings will be available at the bank on Thursday. Checks, which are mailed, could be delayed by the U.S. Postal Service.

Please notify Derby Services immediately of any address changes.

Timesheets are to be turned in daily to the office using the Time Sheet, signed by the supervisor. Job numbers/names must be used to identify each day's work. Failure to turn in timesheets, or turning in incomplete timesheets, may delay payment of wages.



Timesheets must be accurate and include accurate and actual start times, end times, lunch (in and out), breaks (in and out), and other breaks as permitted. **Again, the timesheets must be accurate and complete.** Derby Services complies with all requirements set forth by the State of Kentucky and the U.S. Department of Labor regarding business records and accurate compensation documents. Failure to follow this policy may lead to discipline up to, and including, discharge.

If you believe at any time that you have not been paid for hours worked, **YOU MUST** immediately contact the Accounting Manager at which time every effort will be made to resolve the issue. Failure to follow this policy may lead to discipline up to, and include, discharge.

Derby Services will never knowingly violate any State or Federal Law regarding payment of compensation and retaining business records. To the extent you are aware of any employee violating the law with regard to payment of compensation or retaining business records related to compensation, you must immediately report this issue to the Human Resource Department.

SECTION 403: WAGE GARNISHMENTS

A wage garnishment is an order from a court or a government agency directing Derby Services to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages can be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, money owed as a result of a judgment in a civil lawsuit, or other.

If we are instructed by a court or agency to garnish your wages, you will be notified of the garnishment. Please note that we are legally required to comply with these orders. If you have a dispute or have concerns about the amount of a garnishment, you must contact the court or agency that issued the order.

SECTION 404: EXPENSE REIMBURSEMENT

Derby Services will make travel arrangements when working out of town. Two (2) workers are lodged to a room paid for by Derby Services, which pays for room and taxes only. Other expenses, including damages, removal of property, calls, etc. are the responsibility of the employee.

Derby Services will make transportation arrangements to and from work areas. If you take your personal vehicle, it will be at your own expense. If you need to travel back and forth during an assignment for personal reasons, it will be at your expense. However, use of personal vehicles for Derby Services business **MUST BE PRE-APPROVED BY A SUPERVISOR OR OFFICER.** Failure to acquire such pre-approval will result in discipline up to and including termination.

Each employee working out of our area receives a daily payment to cover incidentals. This will be distributed either before you leave for the job or on a daily basis. It will no longer be on the



next paycheck.

If you are involved in an accident while on business travel, **immediately** report the accident to your supervisor. Any vehicle owned, leased, or rented by Derby Services cannot be used for personal reasons. Failure to report to your supervisor an accident at the time of incident may result in immediate termination.

Any expenses that are to be reimbursed are to be submitted on a completed expense report immediately. With your expense report, you must also submit receipts for every expense item. Expense reports with receipts must be submitted weekly. Items with no receipts may not be reimbursed.

See your supervisor for help and questions about business travel, expense reports, or any other travel issues.

It is a very serious matter if you record false or misleading information on your expense report. You may not request reimbursement for expenses that you did not have or that were not business-related. Employees who do not follow this business travel policy could be subject to disciplinary action, up to and including termination of employment.

SECTION 501: BENEFITS

WEEKLY NIGHT SHIFT BONUSES

As a night shift employee of Derby Pressure Wash you are eligible to receive a weekly bonus. If you are in a lead technician position the weekly bonus is \$50, helpers are eligible to receive \$25. To receive this weekly bonus, you must work at least 3 days during the work week. You must arrive on time for every scheduled shift of the week, with no call ins. You must complete all scheduled jobs (unless it is a customer issue to cause the cancellation).

As a good rule of thumb, if your decision made the company lose money or have additional spending, you will not receive your weekly bonus. Some reasons you, as a lead technician or a helper, may lose your bonus include (but are not limited to) the following:

- Late arrival for scheduled shift.
- Calling in for any reason.
- Leaving any equipment, tools, chemicals, supplies, etc. at a job site.
- Receiving a complaint from the customer.
- If we must return to a location to complete work or take care of customer complaint.



Employee Handbook & Safety Manual – 2018

- Canceling a job; there are a lot of different reasons work may be cancelled. If management determines the job could have been completed but you cancelled, you may lose your bonus.
- Damage done to any Derby Pressure Wash property. I.e., tools, company vehicles, equipment, etc.
- Any damage done to one of our customers properties. I.e., floors, equipment, building, electrical, etc.

VACATION

Derby Services is pleased to provide paid vacation time when scheduled in advance and when customer requirements are not hindered. Employees having completed six (6) months of employment are eligible for five (5) days of vacation. For every full year worked thereafter, the employee will year one (1) additional vacation day, up to and total of ten (10) days of vacation time. Vacation time cannot be carried over into the new year.

You must request and receive approval two (2) weeks in advance of taking any vacation time. Unless otherwise approved in writing, vacation time may be taken only in full-day increments.

Please submit a request on the Request for Time Off form. Please do so as much in advance as possible so Derby Services may schedule jobs and work crews accordingly.

Derby Services reserves the right to deny any request for vacation based upon needs of Derby Services and prior scheduling of vacation of employees prior to your request.

Unused vacation time does not accrue from year to year. Vacation must be taken by year-end.

To the extent that an employee is terminated, resigned, or by some other employment ending process, prior to exercising vacation time or has unused vacation time, the vacation time expires immediately and is not paid out to the employee. In other words, the employee will not be entitled to be paid out any unused vacation time at the time of termination, resignation, or some other employment ending process.

HOLIDAYS

Derby Services provides its employees paid holidays. You must have completed your 180-days' probationary period and work the day before and after if scheduled to be entitled to holiday pay. We do try to schedule work so employees can be home for recognized holidays. However, this is driven by our customer's needs and may not always be possible.



Employee Handbook & Safety Manual – 2018

If employees work on a recognized holiday, they will receive normal wages. We do not pay time and a half for working on holidays.

If you do not work on a holiday, but qualify for holiday pay, such pay/hours do not count as hours worked when calculating overtime. Of course, if you actually work on a holiday, the hour's work does count toward hours worked and potentially overtime pay, if qualified.

Derby Services recognizes the following as paid holidays:

- New Year's Day January 1st
- Easter As stated each year
- Memorial Day Last Monday in May
- Independence Day July 4th or observed day
- Labor Day First Monday in September
- Thanksgiving Day Fourth Thursday in November
- Christmas Day December 25th

We may approve other holidays at our discretion. Your holiday pay will be based on your base rate of compensation, not including incentives, overtime (except as required by applicable law), shift differentials, bonuses, or the like.

HEALTH BENEFITS

After an employee has worked for Derby Services for six (3) months, the employee is eligible to apply for insurance benefits. Derby Services will pay 25% of the employee health insurance premium (Anthem Blue Cross Blue Shield). This applies to the employee policy only, not family benefits. All other forms of insurance are offered through Derby Services at full cost to the employee (Aflac, Avesis, The Dental Care Plus Group). The employee's portion of payment for these benefits will be deducted from the employee's weekly wages. Anthem and several plans offered through Aflac will be deducted on a pre-tax basis. All other payments are deducted post-tax.

INDIVIDUAL RETIREMENT ACCOUNT (IRA)

After an employee has worked for Derby Services for one (1) year, the employee is eligible to join a company-offered IRA. The employee can invest up to 5% of their pre-taxed wages and the company will match up to 3% of the employee contribution.

LIFE THREATENING DISEASES

Derby Services is committed to keeping each employee's work environment healthy and safe and has established policies in the unfortunate case that an employee contracts a life threatening illness.



Employee Handbook & Safety Manual – 2018

In this manual, life threatening illnesses include cancer, heart disease, Lou Gehrig's disease, AIDS, and other illnesses of a severely degenerative nature.

Derby Services will treat life threatening illnesses the same as other illnesses in terms of employee policies and benefits. (More information regarding illness is available in the Unpaid Leave of Absence section of this manual.) If the employee has or contracts a life threatening illness, Derby Services will allow the employee to keep their position as long as they meet the following criteria:

- ♦ The employee's job performance complies with Derby Services standards.
- ♦ The health or safety of other employees or customers is not endangered.
- ♦ The ill employee's health will not become significantly worse due to continued work.

If you have questions or concerns about life-threatening illnesses, you should contact the Human Resources Department for information and referral to appropriate services and resources.

UNEMPLOYMENT COMPENSATION

Every quarter, Derby Services contributes funds to unemployment compensation. The basic reason for unemployment pay is to provide some security to those who are unemployed through no fault of their own. The state is responsible for determining eligibility and the amount you will be paid. In order to make an unemployment claim, you must establish your right to the benefits. You must meet certain conditions before you can obtain these benefits.

WORKER'S COMPENSATION

Worker's compensation is automatically provided to all employees at Derby Services' cost. Payment under this insurance depends upon your cooperation and prompt reporting of any accident and/or injury. All accidents and/or injuries sustained while working should be reported immediately to your supervisor because of compensation insurance requirements, which limit the time in which reports are to be made to the insurance provider. Failure to report an injury could result in no coverage of medical treatment or income benefit as the result of the injury.

SECTION 502: BEREAVEMENT LEAVE

Derby Services provides bereavement leave of three (3) days to employees who need to take time off because an immediate family member died. To ask for bereavement leave, see the Human Resources Department. We will give you time off without pay to attend the funeral and make any necessary arrangements associated with the death.

For bereavement leave, "immediate family" means your spouse, parent, child, brother, or sister; your spouse's parent, child, brother, or sister; your child's spouse; your grandparent or your grandchild. Derby Services will also consider requests for bereavement leave if someone dies who



was as close to you as an immediate family member.

Except in emergencies, you must request bereavement leave through your supervisor with as much notice as practical. Unless there are unusual pressing business needs, bereavement leave will normally be permitted.

Derby Services may request verification of death before paying out any time used to cover bereavement.

SECTION 601: JOB PERFORMANCE EVALUATION

PERFORMANCE REVIEW

Derby Services will attempt to conduct performance reviews on a quarterly basis. The performance appraisal will be discussed, and both the employee and manager will sign the form to ensure that all strengths, areas for improvement and job goals for the next review period have been clearly communicated. Performance evaluation forms will be retained in the employee's personnel file.

PERFORMANCE EVALUATION COMPENSATION

It is the policy of Derby Services that no employee or representative has the authority to make compensation arrangements, or changes to compensation arrangements, regarding salary, raises, bonuses, or commissions, except a Principal of Derby Services, and only in writing, directed to the employee personally.

SECTION 701: GENERAL USE OF DERBY SERVICES PROPERTY, AND SAFETY

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

Please notify your supervisor if any equipment or machines appear to be damaged, defective, in need of repair, or have been lost or stolen. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. Your supervisor can answer any questions about your responsibility for maintenance and care of equipment used on the job.



Employee Handbook & Safety Manual – 2018

Improper, careless, negligent, destructive, or unsafe use or operation of Derby Services equipment, or failure to safeguard the equipment from loss, can result in disciplinary action, up to and including termination of employment.

Employees are responsible for all property, materials, and/or written information issued to them or in their possession or control. You must return all Derby Services property that is in your possession or control in the event of employment termination.

Derby Services may request that you reimburse us for the cost of any items that are not returned when required. Derby Services may also take all action deemed appropriate to recover or protect its property. Derby Services is not responsible for fire, theft, or the personal liability of your vehicle(s) or its contents. Keep your vehicle(s) locked at all times.

OFFICE SAFETY

Under the HIPAA Security Rule, Derby Services is required to “implement policies and procedures to safeguard Derby Services and the equipment therein from unauthorized physical access, tampering, and theft.” Each location will identify its particular needs for HIPAA and OSHA compliance and maintain the highest levels of security and safety.

There shall be no loitering in the shop or the front office. This interferes with work and safety of others. Please stay in the employee breakroom for instructions or assignments.

SECTION 702: BULLETIN BOARD

Derby Services’ bulletin board is located in the break room. The bulletin board is to be used for official announcements, and for posting important information pertaining to your job, job duties, terms and conditions of your job, and related items. **All employees are responsible for checking the schedule posted in the break room. It is the employee’s responsibility to know when they are scheduled to work.** Employees should check the bulletin board regularly. Nothing may be posted on, or removed from, the bulletin board without first seeking permission of the Principals of Derby Services.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee’s rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.



SECTION 703: THEFT AND/OR VANDALISM / PARKING

Derby Services does not tolerate theft or unauthorized possession of our Derby Services property or the property of our customers, visitors, or community members. To facilitate enforcement of this policy, your supervisor may inspect not only desks and lockers, but also packages and persons entering and/or leaving the premises. If you wish to avoid inspection of your articles or materials, you should not bring such items onto any work premises.

If you are a victim of theft or vandalism, you must immediately report such incidents to your immediate supervisor or Lead. In the event there is need for police intervention, Derby Services will make contact with the Police Department and facilitate a thorough investigation.

Derby Services may prosecute if it is the victim of theft or vandalism.

PARKING

Derby Services provide each employee a parking space on our lot. Parking is provided on the west side (left) of the paved lot; however, parking is at your own risk. Derby Services does not provide security or assume liability for criminal acts. Derby Services are not liable for fire, theft, damage, or other loss to your vehicle or its contents including those that lead to bodily injury or death.

SECTION 704: PERSONAL PROPERTY

Derby Services cannot be responsible for losses of personal property that is lost, damaged or stolen. If you bring personal property/items/belongings into the office or company property, you are responsible to keep track of them.

If you do bring personal property, you need to understand that it will not be covered under the Company's insurance and because of limitations on personal homeowners' policies with business property away from the home premises; it may not be covered under your homeowner's coverage either.

Derby Services prohibits any items on the premises or worksite that are sexually suggestive or would constitute discrimination to specific individuals or groups, along with firearms or other weapons. Employees should understand that all personal property brought onto the employer's premises might be inspected for purposes of enforcing the organization's policies and to protect against theft.



SECTION 801: WORKPLACE BEHAVIOR, HEALTH, & SAFETY

Derby Services believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in the area. If employees have concerns about work conditions or compensation, they are encouraged to voice these concerns openly and directly to their supervisor. Derby Services' experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. Derby Services believes that Derby Services amply demonstrates our commitment to you by responding effectively to your concerns.

You must conduct yourself with honesty, integrity and in good faith. You are required to comply fully with applicable law, to deal fairly and honestly with the public and private sectors, and to seek guidance from your supervisor when questions arise. You must be vigilant in ensuring compliance with applicable federal, state, and local law affecting other employees, business relationships and those we serve. You must avoid situations involving, or which could involve, conflicts of interest, and must maintain the confidentiality of corporate records, data and other proprietary information, and be in compliance with all HIPAA regulations.

To ensure orderly operations and provide the best possible work environment, we expect employees to follow rules of conduct that will protect the interests and safety of all employees and the organization. The offenses and disciplinary actions listed on the following pages are not all-inclusive. Any unacceptable conduct, though not specifically covered by the following items, may result in disciplinary action, up to and including termination.

Repeated violation of the same rule, violation of more than one rule in a single act or violations of different rules at different times shall be cause for accelerated or compound disciplinary action including termination. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including immediate termination of employment:

- Malicious or willful destruction or damage of Derby Services property or supplies, or to the property of another employee, customer, or visitor.
- Stealing or removing without permission Derby Services property or the property of another employee, customer, or visitor.
- Obtaining the job by lying or giving false or misleading information, falsifying any employment documents or records (including falsifying any time records), and other acts of dishonesty.
- Bringing or possessing firearms, weapons, or other hazardous or dangerous devices or substances on Derby Services property without proper authorization.
- Possessing, using, or selling alcoholic beverages or illegal drugs on Derby Services property, or reporting for duty under the influence of alcohol or illegal drugs.



Employee Handbook & Safety Manual – 2018

- Instigating or participating in insubordination.
- Pleading guilty to or being convicted of any crime other than a minor traffic violation.
- Harassing, threatening, intimidating, or coercing a supervisor or another employee.
- Distributing Derby Services' database, customer records, or other company records to any person, in violation of the company's policies.
- Failure to follow Derby Services' procedures for maintaining the confidentiality of company proprietary information.
- Failure to adhere to Derby Services' procedures regarding safety and OSHA compliance.
- Providing unsatisfactory job performance.
- Ignoring or not following an established safety rule.
- Using Derby Services equipment without permission.
- Performing the job carelessly or negligently.
- Using abusive or vulgar language.
- Working unauthorized overtime.
- Smoking in areas where "No Smoking" signs are posted.
- Participating in horseplay or any other action that endangers others or Derby Services property, or disrupts work.
- Leaving Derby Services premises or the work area during work hours without obtaining permission or notifying the supervisor.
- Possessing or removing Derby Services or employee property, food, or other items without permission.
- Sleeping while on duty.
- Appearing at work inappropriately groomed or dressed.
- Taking too much time at lunch, being tardy or absent from work, or being absent from the work area.
- Theft or inappropriate removal or possession of property.



Employee Handbook & Safety Manual – 2018

- Falsification of timekeeping records, expense reports, and other records.
- Bringing controlled substances or intoxicants onto premises, using same, or reporting to duty under the influence of controlled substances or intoxicants, or exhibiting signs of being under the influence of controlled substances or intoxicants, or if management has reasonable suspicion, subject to medical verification.
- Physical fighting or threatening violence in the workplace.
- Negligence or improper conduct leading to damage of Derby Services, employee, customer, or community property.
- Insubordination.
- Violation of safety or health rules.
- Sexual or other unlawful or unwelcome harassment or discrimination.
- Excessive absenteeism, tardiness, or any absence without notice.
- Unauthorized absence from the work place during the workday (during an assigned shift).
- Violation of any Derby Services policy or procedure.
- Failure to report to work for one (1) day; or absence of two (2) consecutive shifts without prior notification to your supervisor.
- Failure to immediately report occupational injuries or hazardous conditions.
- Disciplinary action imposed by another state or other lawful licensing authority; violating a statute, rule, or regulation of federal, state, or local law.
- Unauthorized use of any Derby Services issued credit cards, petty cash, or telephone accounts.
- Refusal or failure to perform requested work assignment, abusive language or other acts of conduct that violate common decency and morality.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee's rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.



SECTION 802: PROGRESSIVE DISCIPLINE

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established. Derby Services supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with our organizational values, HR best practices, and employment law.

HOWEVER, DERBY SERVICES RESERVES THE RIGHT TO USE OR NOT USE PROGRESSIVE DISCIPLINE DEPENDING ON THE CIRCUMSTANCES OF THE EVENT. DERBY SERVICES MAY SKIP ANY STEP IN THE PROGRESSIVE DISCIPLINE AND/OR GO RIGHT TO TERMINATION.

Outlined below are the steps of our progressive discipline policy and procedure. Derby Services reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on our organization. The following outlines Derby Services' progressive discipline process:

- **Verbal warning:** A supervisor verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in the employee's file for future reference.
- **Written warning:** Written warnings are used for behavior or violations that a supervisor considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in an employee's personnel file. Employees should recognize the grave nature of this level of discipline.
- **Performance Improvement Plan / Final Warning:** If Management chooses, an employee who has been involved in a disciplinary situation that has not been readily resolved or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the employee may be given a final warning or placed on a performance improvement plan (PIP). PIP status will last for a predetermined amount of time not to exceed 90 days. Within this time period, the employee must demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor and the organization. At the end of the performance improvement period, the performance improvement plan may be closed or, if established goals are not met, dismissal may occur.
- **Suspension.** All suspensions will be without pay and are not eligible to use Paid Time Off/Vacation Days. Suspensions can be added to any level of the Progressive Discipline Plan.



- **Termination.**

Derby Services reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion, and discharge.

SECTION 803: CUSTOMER RELATIONS AND CONDUCT

CUSTOMER RELATIONS AND CONDUCT

Impressions are constantly changed and formed by every contact our customers have with our service. Every time our customer hears or sees anything having to do with Derby Services, it strengthens or changes their perception of us.

We expect our customers to have great expectations and a very positive impression of us. It is up to each employee to fulfill these expectations and build a lasting impression. We must consider quality in every aspect of what we do and say. Our reputation is our future.

Internal problems should be discussed with management, not customers. At one time or another we all become frustrated as a result of our own internal problems. These problems may result from a period of turnover, administrative backlog, human error, or other issues. However, when we communicate these inefficiencies to our customers, we only lose our own credibility.

It is the Crew Leaders job to ensure a satisfactory job has been completed for the customer. If you have any questions regarding the services, you are to provide at any location please contact the office staff for clarification. Crew Leaders are responsible for requesting that the customer inspect the work before he/she signs the job ticket. Be sure to inspect your own work first!

Failure to provide excellence in service as deemed necessary by Derby Services will result in disciplinary action, up to and including termination.

DISCLAIMER: Nothing in this Employee Handbook shall be construed to restrict an employee's rights under Sections 7 and 8(a)(1) of the National Labor Relations Act. No policy set forth in this Employee Handbook shall be construed or understood to prevent an employee to engage in discussions or activities involving the terms and conditions of employment, wages, hours, and working conditions.



SECTION 804: ATTENDANCE AND PUNCTUALITY

In order to be the leader in our industry, all employees are expected to give their best. Employees are responsible for being on the job, on time, every scheduled workday. Absenteeism and tardiness places excess burden on co-workers and disrupts service excellence.

Missing your scheduled shift due to a death of an immediate family member (spouse, child, or parent) or an illness with a provided doctor's note is an excused absence. If you call in for any other reason it will be an unexcused absence. The first offense of an unexcused absence is an employee warning notice in your personal employee file. Second offense of an unexcused absence is an employee warning notice and 3-day suspension without pay if within sixty (60) days of first offense. Third offense is termination if within sixty (60) days of the first offense.

If an employee has called in due to an illness for one night, a doctor's notice is not required to return to work. If you miss two scheduled shifts in a row due to an illness you will be required to provide a doctor's note when returning to work.

If an employee is going to be absent or tardy, he/she must immediately contact his/her supervisor or Lead a minimum of six (6) hours before the start of the scheduled shift. If you do not give notice, you cannot use personal days for the time you missed. Exclusions to this policy: Death of an immediate family member (spouse, child, or parent), or medical emergency. Any employee not adhering to this policy will be subject to the company discipline policy. **Do not leave messages for absenteeism, contact a supervisor in person!**

If an employee fails to report to work for two (2) consecutive days and has not notified his/her supervisor as stated above, he/she will be considered to have voluntarily terminated employment with Derby Services. **This Policy is subject to compliance with the ADA.**

Any paid time off must be used in any absences. For extenuating circumstances, please see our Leave of Absence policy. **This Policy is subject to compliance with the ADA.**

All absences of three (3) or more consecutively scheduled days (where employee notified his/her supervisor) require a doctor's notice. Extenuating circumstances will be handled on a case-by-case basis. Derby Services will make decisions in accordance with applicable federal, state, and local law.

If an employee times out or leaves work during a scheduled shift without prior approval and/or notification to his/her supervisor, or designated person in charge, he/she will be considered to have voluntarily abandoned employment with Derby Services. Extenuating circumstances will be reviewed on a case-by-case basis.

Excessive absenteeism and tardiness will not be allowed. When an employee is frequently absent or late, it detracts from the efficiency of Derby Services, which has an impact on others who are performing their jobs. A person with a record of excessive absenteeism or tardiness may be subject to disciplinary action, up to and including termination.



Your compensated time begins upon arrival at the jobsite and ends on departure from the jobsite. Derby Services will pay mobilization time to and from out-of-town job sites. **However, per job mobilization will only be paid one time, once to and once from. Mobilization time will be calculated as regular time.** (Example: mob time is four (4) hours each way. Employee works 50 hours that week - 48 hours will be at regular rate and two (2) hours at overtime rate).

Each of the above cases will be considered individually, discussed, and reviewed by Derby Services Management.

SECTION 805: DRUG AND ALCOHOL FREE WORKPLACE

We have a vital interest in providing you with a safe, healthful, and efficient work environment. We recognize that our employees are valuable. Because of this belief, we strive to maintain a safe, drug-free workplace. We have a zero tolerance for illegal drug use and/or alcohol abuse. Further, we comply with OSHA's policy on Anti-Retaliation, incentive programs, and reporting requirements.

STATEMENT OF POLICY

Derby Services is seriously concerned about the adverse effects of alcohol and drug abuse on the health and safety of our employees and our communities, and about maintaining standards of high performance in our business. Dependence on alcohol and/or drugs can interfere with an employee's health and job performance and may pose serious safety, health, or security risks not only to the user but to those who work with the user. The possession, use, sale, or presence of an illegal drug or alcohol in the work place poses unacceptable risks for safe, healthful, and efficient operations, and is illegal.

DEFINITIONS

- a) Alcohol or alcoholic beverages means any beverage that may be legally sold and consumed and that has an alcoholic content.
- b) Legal drugs mean prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured and pursuant to and in accordance with a valid prescription or according to manufacturer's instructions.
- c) Illegal drug means any drug that is (a) not legally obtainable, or (b) not legally obtained by the user, or (c) an otherwise legal drug or other substance which is used inappropriately. This term includes prescribed drugs not being used for prescribed purposes, or not being used as prescribed dosages, or not being used by the person to whom the drugs were prescribed. It also includes, but is not limited to, controlled substances as defined below.



Employee Handbook & Safety Manual – 2018

- d) Controlled substance as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, marijuana or any other controlled substance. The term does not include the use of a controlled substance pursuant to a valid prescription or other use authorized by law.

PRESCRIPTION AND/OR LEGAL DRUGS

- a) Use of prescription or legally obtained drugs, including over-the-counter drugs, by an employee while performing company business or while in a company facility is permitted when used in accordance with directions or prescription and when it does not pose a safety threat to the employee or others.
- b) If your use of prescription drugs or over-the-counter drugs may affect your capacity to perform job duties or may create a danger to you or other employees, you are required to report such use to your supervisor in charge.
- c) No prescription drugs may be brought onto company premises by any person other than the person for whom the drug has been prescribed by a licensed medical practitioner, and will be used only in the manner, combination and quantity prescribed.

ILLEGAL DRUGS

The use, possession, manufacture, distribution, or sale of illegal drugs on company property, as well as the presence of an illegal drug in an employee in any detectable amount while on company premises or performing company business, is strictly prohibited. An employee need not be affected by usage or “under the influence” of an illegal drug to be subject to disciplinary action, up to and including termination, under this policy.

ALCOHOLIC BEVERAGES

- a) No alcoholic beverages may be brought on to or consumed on company premises or adjacent parking areas except at company sponsored events or as authorized by a designated Derby Services Management Team Member.
- b) Being “under the influence” of alcohol while on duty, or in conjunction with Derby Services work-related business is prohibited. “Under the influence” means that you are affected by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor of the obvious impairment of physical or mental abilities such as slurred speech or difficulty in maintaining balance. The determination of being under the influence can be established by a professional opinion, a scientifically valid test, and in some instances, by a reasonable layperson’s objective, documented opinion.
- c) Drinking, reasonable evidence of drinking, including having alcoholic beverages on your breath, having slurred speech, inability to stand or walk, or displaying other



signs of drinking on company premises or otherwise engaged in performing Derby Services work-related duties is strictly prohibited.

- d) Impaired job performance as a result of drinking alcoholic beverages is prohibited.

DISCIPLINARY ACTION

Violation of any portion of this policy can result in disciplinary action, up to and including termination, even for the first offense. Your consent to submit to drug and/or alcohol tests as described below is required as a condition of employment or continued employment, and your refusal to consent to such testing may result in disciplinary action up to and including termination for a first refusal or any subsequent refusal.

ILLEGAL DRUG ABUSE OR PRESCRIPTION DRUG OR ALCOHOL USE ON THE JOB

- a) A person presently using illegal drugs will not knowingly be employed or allowed to perform work for Derby Services.
- b) Off duty abuse of alcohol which results in excessive absenteeism or tardiness or is the cause of accidents or poor performance will result in discipline up to and including termination.

SAFETY OF WORKFORCE; WORK RULES; DRUG AND/OR ALCOHOL TESTS

In order to ensure the safety of all personnel, as a condition of employment, all employees may be required to submit to tests to determine alcohol, abuse of prescription drugs and/or illegal drug use in the following circumstances:

- a) **Pre-Placement:** To the extent permitted by applicable law, all applicants selected for potential employment may be required to pass a drug-screening test. All offers of employment are conditioned on a successful drug screen. The provider of the test will be determined by the Derby Services. The cost of the test will be paid by the Derby Services.
- b) **Reasonable Suspicion:** Reasonable suspicion means suspicion based on specific personal observations by the supervisor or a reliable witness concerning such factors as the appearance, behavior, speech, or breathe odor of an employee. If the employee is acting in an abnormal manner and/or a supervisor has reasonable suspicion to believe that an employee is under the influence of alcohol or illegal drugs, the employee may be required to provide an appropriate specimen for laboratory testing by a medical or testing facility designated by Derby Services.
- c) **Post-Accident-Illness/Injury:** Any employee with a work-related accident or illness resulting in personal injury (necessitating medical treatment) or substantial damage to property may be required to submit to testing for illegal drug or alcohol use or abuse immediately or as soon thereafter as allowed by the employee's



medical condition. For purposes of this provision, the employee will only be required to submit to drug/alcohol testing for incidents for which employee's drug/alcohol use is likely to have contributed to the incident or there is a reasonable basis to investigate whether drug or alcohol use may have caused or contributed to the injury or illness, and for which the drug/alcohol test can accurately identify impairment caused by drug/alcohol use.

- (i) The provider of the test will be determined by Derby Services and the cost of the test will be paid by Derby Services.
 - (ii) For purposes of this policy, reasonable suspicion means that employee reasonably believes that the incident was caused in part or in whole because the employee was under the influence of drugs or alcohol.
 - (iii) The purpose of this provision is to ensure compliance with OSHA's requirements regarding drug testing.
- d) **Post-Accident-Injury/Illness-Mandatory Testing. Subsection b) above does not apply to mandatory Federal (DOT) or state workers' compensation testing provisions or testing under a state free workplace program to comply with workers' compensation provisions. In such case or under these particular circumstances, employees are required to submit to post-accident-illness/injury drug and alcohol tests.**
- (i) The provider of the test will be determined by Derby Services and the cost of the test.

REFUSAL TO COMPLY WITH MANAGEMENT REQUEST FOR SCREENING

Refusal to comply with a management request to a drug or alcohol screening will be viewed as insubordination and an employee may be terminated. Examples of behaviors that constitute refusal to submit to an alcohol or controlled substance screen are as follows:

1. Refusing to provide a specimen. This includes providing an insufficient volume of urine without a valid medical explanation.
2. Tampering with, adulterating, or substituting a specimen.
3. Failing to appear for testing within two hours of being notified.
4. Leaving the scene of an accident without just cause prior to submitting to a test.
5. Leaving collection facility before submitting to a test.
6. Failing to permit an observed or monitored collection when required.



7. Failing to take a second test when required.
8. Failing to undergo a medical examination when required with reasonable time frame.
9. Failing to cooperate with any part of the testing process.
10. Once test is underway, failing to remain at site and provide a specimen.

SECTION 806: NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

ANTI-DISCRIMINATION / HARASSMENT

It is our philosophy and policy that any unlawful discrimination against any employee or applicant based on race, color, sex, religion, national origin, age, handicap, height, weight, veteran or marital status will not be allowed or tolerated. This policy applies to all employment practices including recruiting, hiring, pay rates, training and development, promotions and other terms and conditions of employment and termination.

Derby Services considers its staff a team. Like any team, everyone has to work together to achieve maximum success. Harassment of any employee negatively affects our entire team. Derby Services prohibits the unlawful harassment of any employee including, but not limited to, joking remarks or other abusive conduct directed at employees because of their race, color, sex, religion, national origin, age, handicap, height, weight, ancestry, genetic information, veteran, marital status or membership in another protected group.

ANTI-HARASSMENT - SEXUAL AND NON-SEXUAL

Derby Services prohibits any kind of unlawful harassment of any employee or customer. Sexual harassment is prohibited because it is intimidating, often is the result of an abuse of power, and is wholly inconsistent with Derby Services' policies, practices, and management philosophy. Sexual harassment is defined, generally, as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, express or implied. Sexual harassment can take the following forms:

- ♦ Sexual conduct that interferes with another employee's work performance or creates an intimidating, hostile, uncomfortable, or offensive work environment.
- ♦ Personnel decisions (*e.g.*, promotion, raises, scheduling) made by a supervisor based on the employee's submission to or rejection of sexual advances.
- ♦ Submission to a sexual advance used as a condition of keeping or getting a job, whether expressed in explicit or implicit terms.



Sexual harassment also includes unwelcome sexual flirtations, advances or propositions, verbal abuse of a sexual nature, requests for sexual favors, unnecessary touching of any individual, graphic or verbal commentaries regarding the human body, sexually degrading words used to describe an individual, a display in the workplace of sexually suggestive objects or pictures, sexually explicit or offensive jokes, or physical assault.

ANTI-RACIAL / NATIONAL ORIGIN HARASSMENT

No unlawful harassment of any employee or customer will be tolerated at Derby Services. Racial and national origin harassment is verbal or physical conduct that denigrates, belittles or shows hostility or aversion towards an individual because of his/her race or national origin and has the purpose or effect of creating an intimidating, hostile, or offensive working environment, has the purpose or effect of unreasonably interfering with an individual's work performance or otherwise adversely affects an individual's employment opportunities.

Racial or national origin harassment includes, but is not limited to, epithets, slurs, intimidating or hostile acts that relate to race or national origin, written or graphic material that denigrates, belittles or shows hostility or aversion toward an individual because of his/her race or national origin or that is placed on walls, bulletin boards or elsewhere on our premises or circulated in our offices.

EMPLOYEE RECOURSE

Any employee who feels subjected to discrimination or harassment (sexual and non-sexual), or who witnesses any conduct which appears to involve sexual harassment, must immediately report it directly to the Human Resource Director, in writing. If you believe it would be inappropriate to discuss the matter with your supervisor, you may bypass your supervisor and report it directly to a supervisor of Derby Services, in writing, who will undertake the investigation. Such reports will be investigated promptly and thoroughly. If the report has merit, disciplinary action will be taken against the offender. Depending on the severity of the misconduct, the disciplinary action could range from a warning to termination of employment.

Complaints of this nature will be maintained in confidence and divulged only to the extent necessary to complete the investigation and determine the appropriate resolution. Derby Services prohibits any form of retaliation against any employee for filing a bona fide complaint under this policy or for assisting in complaint investigation. However, if Derby Services determines that false information was provided regarding a complaint, disciplinary action may be taken against that individual up to and including discharge. You may also report any complaint of discrimination to the EEOC, www.eeoc.gov.

Retaliation is prohibited by federal law and Derby Services policy. It is defined as any adverse or negative action against a person participating in any reporting, investigation, or proceeding that is perceived as: intimidating, threatening, coercing, hostile, harassing, retribution, or violence that occurred in connection to the making and follow-up of the report. This also includes actions



against an individual who has (a) complained about alleged discrimination, harassment or retaliation, (b) participated as a party or witness in an investigation relating to such allegations, or (c) participated as a party or witness in a court proceeding or administrative investigation relating to such allegations. Federal civil rights laws, including Title VII, make it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. Intimidation means to make fearful or to put into fear. Generally, proof of actual fear is not required in order to establish intimidation. It may be inferred from conduct, words, or circumstances reasonably calculated to produce fear. Any person violating this policy may be subject to appropriate discipline, up to and including termination.

ANTI-BULLYING POLICY

In addition to Derby Services' commitment to provide a work environment free from discrimination and harassment, Derby Services is also committed to providing an environment that is free from all forms of bullying. As with discrimination and harassment, all directors, supervisors, and employees are expected to conduct themselves in such a way as to ensure no bullying occurs.

While not an exhaustive list, the following types of behavior are examples of bullying:

- **Verbal:** Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; use of offensive nicknames; using a person as target of jokes; abusive and offensive remarks, shouting or raising one's voice at an individual; constant criticism on matters unrelated or minimally related to the person's job performance or description; public reprimands or public humiliation of any kind; spreading rumors and gossip.
- **Physical:** Pushing, shoving, kicking, poking, tripping; unwanted physical contact; assault or threat of physical assault; damage or threat of damage to a person's work area or property.
- **Gestures:** Nonverbal obscene or threatening gestures; glances that can convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities, not allowing a person to speak or express himself or herself (*i.e.*, ignoring or interrupting).

As with discrimination and harassment, Derby Services considers bullying in any form to be a serious offense and in violation of this policy. If any employee believes he or she has witnessed or been subjected to any type of bullying, the person should immediately report to the Human Resource Department.

Complaints are to be investigated promptly and appropriate action taken. Information obtained during investigations is kept as confidential as possible, but information about incidents of alleged



bullying must be shared to the extent necessary to conduct an investigation and take any corrective action deemed appropriate by Derby Services.

Derby Services prohibits retaliation against any employees and applicants who complain about bullying, oppose any bullying, or participate in the investigation of complaints about bullying. Retaliation is any adverse or negative action that is perceived as intimidating, threatening, coercing, hostile, harassing, retribution, or violence.

WHISTLEBLOWER PROTECTION POLICY

A whistleblower, as defined by this policy, is an employee of Derby Services who reports an activity of an employee of Derby Services that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures. Appropriate management officials are charged with these responsibilities.

Examples of illegal or dishonest activities are violations of federal, state, or local law; billing for services not performed or for goods not delivered; fraudulent financial reporting; forgery, and other related illegal acts.

If an employee has knowledge of or a concern about illegal or dishonest fraudulent activity by an employee of Derby Services, the employee must contact the Human Resource Department. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally or recklessly files a false report of wrongdoing is not a whistleblower and is subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas — confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower is maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law, and to provide accused individuals their legal rights of defense. Derby Services will not retaliate against a whistleblower. Any whistleblower who believes he/she is being retaliated against must contact the Human Resource Department immediately.

All reports of illegal and dishonest activities by an employee of Derby Services must be promptly submitted to the Human Resource Department, who is responsible for investigating and coordinating corrective action. Employees with any questions regarding this policy should contact Human Resources.

SECTION 807: POLICY PROHIBITING VIOLENCE IN THE WORKPLACE

Because we are committed to providing each employee a work environment that is safe and secure and free of, prejudice, harassment, threats, intimidation, and violence, to the extent possible, we have set forth the following procedures for reporting violations of our workplace violence policy and guidelines for handling violations of the policy. Workplace violence, as used in this policy, is



Employee Handbook & Safety Manual – 2018

threatening, intimidating, coercing, harassing or violent behavior (verbal or physical) involving employees, those we serve, vendors or anyone conducting business with or, on behalf of, Derby Services.

Examples of prohibited workplace violence include, but are not necessarily limited to:

- Use of abusive and threatening language.
- Repeated strong, sexist, racist, or other inappropriate comments based on an individual's protected status.
- Belittling or rigid, judgmental utterance about others.
- Pursuit of another employee with the intent to harm the employee or to place the employee in fear of harm.
- Unwanted physical contact such as assault, impeding or blocking movement or any physical interference with normal work or movement when directed at an individual.
- Conspiring against, excluding or persecuting an employee or coworker.
- Violent incidents outside of work.
- Violence directed at inanimate objects, and/or vandalism.
- Bringing on to Derby Services property a firearm, a knife, explosive materials, toxic agents or any other weapon or device intended to be used as a tool of violence.
- Violating another individual's personal space while engaging in negative communication.

We strive to create an environment for our employees that is free of violence or threats of violence from supervisors, co-workers, and non-employees. Threats, threatening behavior or acts of violence against any employee, customer, or anyone on Derby Services property are prohibited. Any employee who violates this policy will be subject to corrective action up to and including termination of employment.

REPORTING REQUIREMENTS

If you believe you have witnessed, or been the subject of violent behavior in the workplace, you should first protect yourself (this includes calling 911 if imminent danger exists), then report the incident immediately to any of the following: your immediate supervisor, Human Resources, a Management Team Member, and/or the President.

Any supervisor who witnesses or receives a report of *perceived* or *actual* violence in the workplace will contact his/her immediate supervisor, Human Resources, a Management Team Member and



Employee Handbook & Safety Manual – 2018

President. All supervisory staff must consider the safety of Derby Services, its employees and non-employees as the highest priority. If immediate medical or police intervention is needed or potentially needed, the supervisor, with administrative input as available, is to decide whether the next step should be: 1) medical/police intervention or 2) contact with the immediate supervisor, Human Resources, Management Team Member, and/or President, regardless of the day or hour. Derby Services' President is to be notified of any potential or actual violence.

Retaliation as a result of an employee or supervisor reporting violent behavior is against Derby Services policy and is subject to disciplinary action, up to and including termination.

PREVENTION

The safety of all Derby Services employees, customers, non-employees, and community are of the highest priority. Supervisory and executive staff will consistently make decisions and take actions that are consistent with this basic principle. Therefore, any employee who exhibits behavior, whether verbal or physical, which is *potentially* violent and/or could reasonably be expected to lead to violence in the workplace may be required to accept a management referral to seek outside assistance and/or counsel. Refusal to seek outside help may be grounds for disciplinary action up to and including termination.

SECTION 808: FIREARMS, WEAPONS-FREE WORKPLACE

STATEMENT OF POLICY

It is the policy of Derby Services to maintain a work environment that is safe for all persons, including the community, and conducive to attaining high work standards. To achieve these objectives, Derby Services is committed to a strong stand against firearms and weapons in the work environment.

It is Derby Services' policy to maintain a firearms and weapons free work place and prohibit the possession of firearms and weapons regardless of any license or permit that an individual may have which would otherwise authorize the individual to carry firearms or weapons. The Company will strictly enforce this policy.



DEFINITIONS

- (a) **Firearm:** A weapon, a pistol or rifle, whether loaded or unloaded, capable of firing a projectile and using an explosive as a propellant.
- (b) **Weapons:** An instrument of attack or defense.
- (c) **Office:** All permanent facilities, all mobile facilities, all leased facilities, and any facility designated as an office by the Company.
- (d) **Parking lot:** All lots at permanent facility, lots at project sites, any lot that the Company designates as a parking lot that is not at a permanent facility or project site.
- (e) **Company vehicle:** All company-owned vehicles, all company-leased vehicles, all company-rental vehicles, and all personal vehicles for which the owner receives a vehicle allowance, all personal vehicles where the owner receives reimbursement for mileage.
- (f) **Company sponsored events:** Sporting events, award banquets, and picnics.
- (g) **Search:** To examine in order to find something concealed.
- (h) **Job sites:** Any and all locations where the company conducts business.

SIGNS

- (a) At each entrance to offices, parking lots, and project sites, a sign shall be posted in a location that is conspicuous to all who could enter an office, parking lot, or project site.
- (b) Signs shall have wording or pictogram that prohibits firearms and weapons. Signs shall be of the quality that they will not fade due to the elements.

COMMUNICATION OF POLICY

- (a) Each employee of the Company shall receive a copy of this policy at the time of his/her hire and shall sign a copy of the acknowledgment. Employees who were employed before the effective date of this policy shall also receive a copy of this policy and shall sign a copy of the acknowledgment. A copy of the signed acknowledgment shall be maintained in each employee's personnel file.
- (b) A copy of this policy shall be attached to each subcontractor's subcontract, and shall become a part of its subcontract. The subcontractor shall be responsible for communicating this policy to its employees and any employees and any second tier subcontractors that the subcontractor sublets any portion of its contract.

PROHIBITED CONDUCT

- (a) The transportation of firearms or weapons in company vehicles is prohibited. This includes but is not limited to, (1) to and from work, (2) when conducting company business, (3) at all times in company-owned or leased vehicles.
- (b) The carrying of permitted and non-permitted firearms while at company offices, parking lots, sponsored events, and job sites.



Employee Handbook & Safety Manual – 2018

- (c) The carrying of weapons while at company offices, parking lots, sponsored events, and job sites.
- (d) Exception: powder actuated tools which are manufactured for the use of fastening building materials are not part of this policy.

SEARCH

- (a) The Company is frequently engaged in work where the owner reserves the right to search all vehicles prior to entering the work site and all persons and their personal effects.
- (b) The Company reserves the right to conduct reasonable, unannounced searches of company premises and personal searches of employees and others while entering, on, or leaving company premises, including, but not limited to, personal effects, vehicles, lockers, desks, tool boxes, clothing, meal containers, and baggage.
- (c) Individuals refusing to allow an inspection will not be detained or forced to submit to the inspection. Refusal violates company policy and constitutes voluntary termination of the employment relationship. Non-employees who refuse to allow an inspection will not be permitted on company premises.

DISCIPLINE

- (a) Violations of any portion of this policy will subject the employee to disciplinary action up to and including termination of employment.
- (b) Violations of by a subcontractor’s employee any portion of this policy will constitute insubordination and serious misconduct that will mandate the subcontractor’s employee to immediate removal from the Company’s premises, and barring future access to any company premises.

SECTION 809: SMOKING

TOBACCO, E-CIGS, SMOKING AND/OR VAPING

Derby Services is a smoke-free and tobacco-free environment. The use of smoking, vaping, and tobacco products - including, but not limited to, cigarettes, cigars, pipes, smokeless tobacco, vaporizing/vapor producing devices, and e-cigarettes - is prohibited on Derby Services’ premises, except in authorized and designated locations. Only approved receptacles must be used. Never use trash cans or the floor.

Derby Services wants to be known for the cleanliness and safety of its office and atmosphere. We can take pride in this.



SECTION 810: PERSONAL APPEARANCE / DRESS CODE GUIDELINES

Personal appearance means how you dress, how neat you are, and your personal cleanliness standards. Your personal appearance can influence what customers and visitors think about Derby Services. Personal appearance can also impact the morale of your co-workers.

During business hours or whenever you represent Derby Services, you should be clean, well groomed, and wear appropriate clothes subject to OSHA regulations. This is particularly important if your job involves dealing with customers or visitors in person. Employees working in the field should wear long pants. Shirts should not have suggestive or offensive graphics and/or writing. Work boots, not sneakers, must be worn. Excessive jewelry (chains, rings, etc.) should not be worn on the jobsite as this presents a hazardous condition. Derby Services and its employees are responsible for following OSHA standards. In addition, Derby Services' customers may have more stringent requirements that must be met, such as:

Pants: Men and Women may wear clean pants, must fit appropriately at the waist either by size or by wearing a belt and must not be excessively baggy. Shorts are acceptable, but cannot be more than five inches from the top of the knee.

Shirts: Shirts shall be provided by Derby Services. Sleeveless shirts are permitted if they have wide shoulders and are not cut low under the arm to expose undergarments. No tank tops, muscle shirts, spaghetti straps or halter tops. No sheer tops. High visibility clothing must be worn on all collection operations.

Shoes: Any closed toe shoe is acceptable. Rubber sole shoes and work boots are encouraged. Tennis shoes are not recommended when driving trucks. No sandals.

Hats: Hats are acceptable for employees working outdoors. They cannot have any inappropriate printing on them.

Derby Services will make reasonable accommodations with respect to uniforms for comfort.

Uniforms will be custom ordered before hiring with your choice of fit by reason.

If your supervisor finds that your personal appearance is inappropriate, you will be asked to leave work and return properly dressed and groomed. If you are asked to leave, you will not be paid for the time you are away from work. See your supervisor if you are not sure about the correct clothing standards for your job.

Where necessary, Derby Services may make a reasonable accommodation to this policy for a person with a disability or religious accommodation.



SECTION 811: WORKPLACE SAFETY DRESS GUIDELINES

PERSONAL PROTECTIVE EQUIPMENT

In order to provide a safe working environment, Derby Services requires certain departments to use personal protective equipment (PPE) specific to their job requirements. The PPE required can include, but is not exclusive to, ear protection, eye protection, and specialty clothing (gloves, high visibility shirts, hardhats, and respiratory protection, if needed).

Since PPE is job-specific, the employee is responsible for asking their supervisor what PPE is required for their specific position. The employee is responsible for wearing the PPE at all times while working or in the work environment. If the employee continually forgets about or refuses to comply with this safety requirement, they may be subject to discipline up to and including discharge.

SAFETY GLASSES POLICY

Derby Services values each employee and strives to provide a safe and injury-free work environment. In order to create this environment, all Derby Services employees, contractors, and visitors are required to wear OSHA-approved safety glasses when they enter a manufacturing center. Manufacturing center is defined as, but not limited to, all non-administrative buildings.

Employees are also required to use OSHA-approved filter lenses when using radiant energy. Radiant energy is defined as but not limited to the following activities: welding, cutting, brazing, and soldering.

OSHA-approved safety glasses are supplied by Derby Services at the employer's expense not to exceed \$230.00. Employees are responsible for procuring safety glasses from their supervisor if they do not have a pair and/or when the glasses are damaged.

An employee may provide their own safety glasses. A supervisor must also approve any non-employer supplied safety glasses to insure the glasses comply with OSHA regulations. Derby Services will subsidize an employee's purchase of alternate safety glasses up to a set amount. To qualify for the subsidy, employees must check with their supervisor prior to purchasing the glasses.

Derby Services will not allow employees to substitute sunglasses for safety glasses. Derby Services will apply disciplinary actions to employees wearing sunglasses.

CLOTHING

Clothing should be clean, neat in appearance and of a modest nature. Employees are required to wear high visibility shirts, and clothing that is not loose fitting and which does not present a safety issue.



To the extent that you require an accommodation to this Policy because your religion or religious beliefs, please immediately inform your supervisor with your request so that Derby Services may evaluate your request and take appropriate action.

HEARING PROTECTION REQUIREMENTS

OSHA-approved hearing protection is supplied by Derby Services at the employer's expense. Employees are responsible for procuring hearing protection from their supervisor if they do not have any and/or when the hearing protection is damaged.

If hearing protection is required by OSHA, such protection is provided by Derby Services.

Safety is Derby Services' first priority. In order to effectively implement Derby Services safety policies, violations shall be subject to the discipline policy set forth herein.

SECTION 812: VEHICLE OPERATION POLICIES AND REGULATIONS

PERSONAL AUTOMOBILE USE

Derby Services provides company vehicles for your use while conducting company business. Occasionally, Derby Services may ask you to use your personal vehicle to report to your assignment. When that occasion occurs, Derby Services will reimburse you based upon actual miles driven times the rate established by IRS.

POLICIES AND REGULATIONS

Because motor vehicles are both expensive and potentially dangerous, their safe operation requires special attention. Company-owned vehicles are assigned for company business and are

not to be used for personal use.

No staff member may operate any company owned vehicle without prior authorization. No employee will operate any vehicles after normal business hours unless preauthorized and on company business.

Operators of company owned vehicles will not pick up riders under any non-business related circumstances. Operators will only transport Derby Services' product or individuals on company related business. No one may operate machinery or motor vehicles before the age specified in the state regulatory statutes.



Employee Handbook & Safety Manual – 2018

All employees operating company vehicles will possess a license valid for the specific vehicle they are operating and will observe all traffic regulations. The administrative offices will keep a file of employee driver's license. Derby Services is required to provide the auto insurance company with the driver's license number for all employees operating motor vehicles. The insurance company will then conduct a background check with the Department of Motor Vehicles. A history of driving violations may prohibit the employee from operating company vehicles.

BEFORE YOU DRIVE DERBY SERVICES' TRUCKS

1. Make sure you know where you are going and what you are supposed to do.
2. Take all paperwork, job tickets, and a pen!
3. See if you need water meter. If you do, take proper equipment to go with it.
4. Secure the Shop Door & Back Lot area before leaving the lot.
5. Turn truck lights on.

Vehicle operators will report all accidents involving company vehicles to the administrative offices within twelve (12) hours of occurrence.

If upon investigation, the operator is determined to be responsible for the accident through personal negligence, they will compensate Derby Services for the repair of any resulting damages.

The operator is solely responsible for paying any fines or parking violations.

Abuse of company owned vehicles will initiate disciplinary action up to and including termination. In addition to being subject to disciplinary action, an operator may be required to compensate Derby Services for the repairs caused by such abuse.

PROCEDURES FOR REPORTING AN AUTO ACCIDENT

1. Call 911.
2. Care for injured with first aid if needed.
3. Do Not move vehicle from the scene unless the position of the vehicle could cause further incident, or a Police officer directs you to do so.
4. Protect personnel and property from further injury or damage.
5. Make sure a police report is written up.
6. Call the office to notify someone of the accident and of any injuries if there are any.



SECTION 901: WORKPLACE SAFETY

Our workplace safety program is a top priority at Derby Services. We want Derby Services to be a safe and healthy place for employees, customers, and visitors. A successful safety program depends on everyone being alert and committed to safety.

We regularly communicate in different ways with employees about workplace safety and health issues. These communications may include supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Safety and accident prevention is vital to all of us at Derby Services. It is our goal that: (1) safety hazards are eliminated from the workplace; (2) unsafe acts or conditions are detected, reported and corrected; and (3) safety consciousness is instilled in all employees and our practices.

Some important guidelines follow, but you must remember that no mere set of rules can ever assure safe operations or the elimination of accidents or injury altogether.

1. It is every employee's responsibility to immediately report to his/her supervisor any hazardous or unsafe condition or practice which might cause injury to employees or customers or damage to our equipment. Be sure to follow up to ensure the appropriate corrective action has been taken. If it has not, you should report the condition or practice to a supervisor of Derby Services.
2. Employees should not, when at all possible, work or remain on Derby Services premises alone. Employees should check or verify outside doors are secure. When possible, the employee should notify his or her supervisor in advance when they will be in the office suite alone.
3. Never attempt to push, pull or lift an object that could cause injury. Ask for assistance. If an item must be lifted, lift with your leg muscles, not your back. Do not attempt to lift or move anything that is too heavy for you. Use appropriate equipment to assist you or ask for help.
4. All OSHA and any other applicable safety standards must be followed at all times. All safety warnings and signs must be observed at all times.
5. All safety devices required and provided must be used at all times.
6. Workspaces and aisles must be clean, neat and kept free of debris. Any employee who notices any condition causing the potential for harm must immediately notify a supervisor.
7. Know where the First Aid Kit is, and use it when needed.
8. Employees may not tamper with or change the controls or settings on heating, air conditioning or other equipment if you are not assigned that responsibility.



9. Read and maintain familiarity with Safety Data Sheets (SDS) for toxins and their location in the facilities

**SECTION 902: HAZARD COMMUNICATION STANDARD:
SAFETY DATA SHEETS (SDSs)**

The Hazard Communication Standard (HCS) (29 CFR 1910.1200(g)), revised in 2012, requires that the chemical manufacturer, distributor, or importer provide Safety Data Sheets (SDSs) (formerly MSDSs or Material Safety Data Sheets) for each hazardous chemical to downstream users to communicate information on these hazards. This brief paragraphs below provide guidance to help workers who handle hazardous chemicals to become familiar with the format and understand the contents of the SDSs.

Hazardous materials include those you may be exposed to routinely or during emergencies. There are two primary sources of information about hazardous materials: the product level and the SDSs or other documents as from time to time are required. Employees who have job duties that require access to this information have the responsibility to read the labels and SDS sheets or contact their supervisor to report problems or answer additional questions regarding hazardous materials. Please see your supervisor for further information regarding Hazardous Material Safety.

NON-ROUTINE TASKS

Non-routine tasks might also be hazardous. For any non-routine task, please be aware of your actions. If the non-routine task seems dangerous or potentially dangerous to you or other employees, please notify the operations manager immediately

PLEASE NOTE: PLEASE TAKE THE TIME TO PAY ATTENTION TO POSTED SAFETY MATERIAL. INFORMATION IS POSTED FOR YOUR SAFETY AND THE SAFETY OF THOSE AROUND YOU.

SECTION 903: SECURITY INSPECTIONS

Desks and other storage devices may be provided for your convenience, but remain the sole property of the employer. Accordingly, they as well as any articles found within them, can be inspected by a police officer or representative of the employer at any time, either with or without prior notice.

We also wish to discourage theft or unauthorized possession of the property of employees, our Derby Services customers, and visitors. To facilitate enforcement of this policy, Derby Services or its representative may inspect not only desks and offices, but also packages and persons entering



Employee Handbook & Safety Manual – 2018

and/or leaving the premises. If you wish to avoid inspection of any articles or materials, you should not bring such items onto Derby Services premises.

Computers furnished to employees are Derby Services property. As such, computer usage and files may be monitored or accessed.

Derby Services may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

Because we are sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

EMPLOYEES HAVE NO EXPECTATION OF PRIVACY WITH REGARD TO COMPUTERS, INTERNET, TELEPHONES, DESKS, LOCKERS, AND OTHER STORAGE DEVICES PROVIDED TO EMPLOYEES.

SECTION 904: OCCUPATIONAL INJURY AND ILLNESS

ACCIDENT / INCIDENT INVESTIGATION

Our workplace safety is a top priority at Derby Services. We want Derby Services to be a safe and healthy place for employees, customers, and visitors. A successful safety program depends on everyone being alert and committed to safety. You are expected to obey all safety policies at all times. In the event of an accident, with or without injuries, you must immediately report the incident to the appropriate supervisor. In the case of an injury, seek medical assistance as needed.

The following is the steps that will be taken for reporting and investigating in the event of an accident:

REPORTING

Reporting is the first important step in workplace accident investigation. You must report. Reporting needs to be as detailed as possible. All accidents must be immediately reported to the appropriate supervisor and the office (Safety Director). The office (Safety Director) will determine



if reporting to local government and/or OSHA is required. Please complete the Accident/Incident Investigation Report and submit to office (Safety Director).

GATHERING INFORMATION

Gather as much information as you can about the accident and related events. Workers who were involved in the accident or injured, and the supervisors, are the main source of information. In addition, take photos and drawings before the accident scene is compromised. During the information gathering process, remember the five W's and one H: who, what, where, when, why, and how. Also, the sequence of events is important. (Remember, workplace accidents in most cases are caused by something that went wrong in the past rather than caused by immediate action). Here are some examples of questions to ask in order to gather information about the accident:

- Who? Identify the person(s) involved or injured.
- Who witnessed the accident and surrounding conditions?
- Who is the foreman or supervisor on site?
- Who are the workers on site?
- Are there any subcontractors on site?
- What has happened?
- What were the workers doing before the accident?
- What tools, machines, or equipment were being used when the accident happened?
- What companies owned or furnished any tools, machines, or equipment involved in the accident?
- Where did the accident happen – date and exact time of the accident?
- When did the accident happen?
- Did the workers follow standard operating procedures?
- Have the workers received related training to the operation?
- How did the workers get injured?
- Personal Protective equipment available and in use (tie-offs, lanyards, helmets, ladders, safety glasses, etc.)
- Did the injured worker get first aid measures at the site?
- General nature of the injury (fracture, cut, etc.)
- Did anyone else see the accident happen (subcontractor, customer, etc.) ?
- How did the accident happen – sequence?

Obtain any accident reports (Police/Fire Department). Submit jobsite progress photos and accident site photos to the office. Submit any handwritten or recorded statements of witnesses to the office. Submit daily field reports, toolbox safety meetings, etc. for the day before and day of the accident.

ANALYZE THE INFORMATION



Having collected information related to the accident, and submitting to the office, the next step will be analyzing the information by the Safety Director. During this process, the Safety Director will check the order of the events to clearly understand why the accident happened. And secondly, to determine the root cause of the accident.

RISK CONTROL MEASURES

Once the root cause of the accident has been identified, the Safety Director will provide control measures or preventive actions to prevent the accident from recurrence.

WORKER'S COMPENSATION CLAIM

This policy is intended to outline some procedures in the event of an on-the-job injury/illness. Section A outlines responsibilities to file a Worker's Compensation claim. Worker's compensation benefits and procedures vary and this is not intended to be an exhaustive guideline of procedures.

PAPERWORK REQUIREMENTS TO FILE A WORKER'S COMPENSATION CLAIM

1. All on-the-job injuries/illnesses must be immediately reported on our Incident/Accident forms. Please see your supervisor for a form. Work related injuries/illnesses should be reported immediately to your supervisor, Human Resources, or an Derby Services Management Team Member to ensure employee protection and handling. Your supervisor is responsible for making the required report unless an approved alternative has been established. If there is a question of the need to make an Incident/Accident report, your supervisor, Human Resources, or an Derby Services Management Team Member, should be contacted prior to filing the report.
2. If you have been witness to or have relevant information regarding a work-related accident or injury, you should report that information to your immediate supervisor, Human Resources, and/or a Management Team Member.
3. When an on-the-job injury or illness disables you from working, your estimated length of disability will be obtained by your Supervisor and/or directly from the treating physician.
4. When you make a request to return to work, your supervisor will obtain a written release form from your treating physician. If there are any restrictions or limitations, Derby Services management will review the information to determine whether or not you can perform the essential functions of the job. If there is doubt that you can perform the essential functions of the job, discussions will be held between an Derby Services Management Team Member and yourself to discuss how to accommodate your work needs.

WORKER'S COMPENSATION INSURANCE



Employee Handbook & Safety Manual – 2018

If you are injured in a job-related accident while working and carrying out job related assignments, you may be eligible for Worker's Compensation as prescribed by state law.

If you experience a work related injury, illness or exposure, you must report it immediately to your supervisor. Derby Services has established relationships with preferred providers for all non-emergency related incidents. Arrangements for emergency medical treatment for injury or illness may be made by any responsible party and will generally involve the closest emergency treatment facility. The health and welfare of our employees is our primary concern at such times. Appropriate documentation should be completed as soon as practicable.

Worker's compensation benefits are based on salary and vary according to state law. Benefits are subject to delayed payment schedule and maximum payment limitations. You may use any applicable paid time off to make up the difference between worker's compensation payments and your base pay. Health insurance premiums will be handled on a case-by-case basis with your supervisor.

If an employee is eligible for a leave of absence, the leave time and Worker's Compensation leave time will run concurrently.

SECTION 1001: EMAIL, VOICEMAIL, AND INTERNET USE

To enable employees to more effectively and efficiently perform their job duties, Derby Services provides, as appropriate, Email, voicemail and internet access for employees to use. The Email, voicemail and internet systems are Derby Services property and as such should be used appropriately and professionally at all times.

Employees should not have any expectation of privacy in their Email account, voicemail, and/or in their internet access. Any recordings, messages, or other communications on these systems are the exclusive property of Derby Services. Derby Services, in its sole discretion, may access your Email and voicemail and monitor your website access.

The use of Email, voicemail, or the internet in any manner considered disruptive, offensive, illegal, and/or harmful to Derby Services' reputation, or otherwise contrary to Derby Services' policies is prohibited. Moreover, the use of unauthorized codes or passwords to gain access to another employee's Email and/or voicemail communication is prohibited; provided, however, nothing in this policy shall limit Derby Services' right to access your Email or voicemail to ensure compliance with this policy. Any unauthorized use of Email, voicemail, or the internet may result in disciplinary action, up to and including termination of employment.



INTERNET USAGE

Derby Services may provide you with Internet access to help you do your job. This policy explains our guidelines for using the Internet.

All Internet data that is written, sent, or received through our computer systems is part of official Derby Services records. This means we can be legally required to show that information to law enforcement or other parties. Therefore, you should always make sure the business information contained in Internet email messages and other transmissions are accurate, appropriate, ethical, and legal.

The equipment, services, and technology you use to access the Internet are the property of Derby Services. Therefore, we reserve the right to monitor how you use the Internet. We also reserve the right to find and read any data you write, send, or receive through our online connections or is stored in our computer systems.

You may not write, send, read, or receive data through the Internet that contains content that could be considered discriminatory, unlawfully obscene, threatening, harassing, or intimidating.

Examples of unacceptable content include (but are not limited to) sexual comments or images, racial slurs, gender-specific comments, or other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

Derby Services does not allow the unlawful use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet. As a general rule, if you did not create the material, you do not own the rights to it, or have authorization for its use. You are also responsible for making sure that anyone who sends you material over the Internet has the appropriate distribution rights.

If you use the Internet in a way that violates the law or Derby Services policies, you will be subject to disciplinary action, up to and including termination of employment. You may also be held personally liable for violating this policy.

The following are some examples of prohibited activities that violate this Internet policy:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal gain
- Stealing, using, or disclosing someone else's code or password without authorization
- Copying, pirating, or downloading software and electronic files without permission
- Unlawfully sending or posting confidential material, trade secrets, or proprietary information outside of the organization



Employee Handbook & Safety Manual – 2018

- Violating copyright law
- Failing to observe licensing agreements
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that constitute legal defamation and/or slander.
- Attempting to break into the computer system of another organization or person
- Refusing to cooperate with a security investigation
- Using the Internet for political causes, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Passing off personal views as representing those of the organization
- Sending anonymous email messages
- Engaging in any other illegal activities



For more information on this matter, please see these other policies:

- Non-Discrimination and Anti-Harassment Policy
- Sexual Harassment Policy
- Workplace Harassment: The Basics

EMPLOYEES HAVE NO EXPECTATION OF PRIVACY WITH REGARD TO COMPUTERS, INTERNET, FACILITIES, DESKS, LOCKERS, AND OTHER STORAGE DEVICES PROVIDED TO EMPLOYEES.

SECTION 1101: PERSONAL / SICK TIME

After an employee has worked for Derby Services for six (6) months, they will earn ½ day or four-hours of personal time (PTO) per month worked, up to forty (40) hours per year of personal / sick time. You must notify your Lead with as much notice as practical in the circumstances prior to your starting time on each day of your absence. PTO time must be earned. You will receive four (4) hours of PTO time at the end of each month if you have not called in for any scheduled shifts for that month. You may carry over to the next calendar year up to eight hours of personal time each year. If you have more than eight hours at the end of the year, Derby will not pay out any remaining time. You may borrow up to eight hours of personal time. Personal time can be used for any issues that may arise that could cause you to miss work. You may plan your PTO time for future dates or also use for last minute emergencies. PTO may also be used for any dates near Holiday's that you may be scheduled off but not getting paid Holiday pay for (Christmas Eve & New Year's Eve are not paid Holiday's). PTO time may also be used if all work is canceled from the office due to cold, snowy, or icy conditions.

Absences over two (2) days require a doctor note to avoid consequences. Vacation days may be used when sick and are paid based on your base rate of compensation, not including incentives, overtime, shift differentials, bonuses, or the like.

FAMILY AND OTHER LEAVE / FEDERAL FMLA RIGHTS

Kentucky employers are subject to the FMLA if they have at least 50 employees for at least 20 weeks in the current or previous year. Employees are eligible for FMLA leave if:

- ✓ they have worked for the company for at least a year
- ✓ they worked at least 1,250 hours during the previous year, and
- ✓ they work at a location with at least 50 employees within a 75-mile radius.



FMLA leave is available if an employee needs time off to:

- ✓ bond with a new child
- ✓ recuperate from a serious health condition
- ✓ care for a family member with a serious health condition
- ✓ handle qualifying exigencies arising out of a family member's military service, or
- ✓ care for a family member who suffered a serious injury during active duty in the military.

Kentucky employees may take up to 12-weeks of leave in a 12-month period for a serious health condition, bonding with a new child, or qualifying exigencies. This leave is available every 12 months, as long as the employee continues to meet the eligibility requirements explained above.

Employees may take up to 26 weeks of leave in a single 12-month period for military caregiver leave. However, this is a per-injury, per-service member entitlement. Unless the same family member is injured again, or another family member suffers an injury while on active duty, an employee may not take additional leave for this purpose.

Leave and Reinstatement Rights

FMLA leave is unpaid, but employees may be allowed (or required) to use their accrued paid leave during FMLA leave. When an employee's FMLA leave ends, the employee is entitled to be reinstated to the same or an equivalent position.

SECTION 1103: JURY DUTY

Derby Services understands your civic responsibilities. After receiving notice of your obligation to the court, you must notify your supervisor immediately. A certificate of service and a receipt for payment received from the court must be presented to your supervisor in order to receive pay as described in this policy. You are expected to return to work if more than two (2) hours of your scheduled shift remains for any day you are fulfilling a court commitment.

When a non-exempt employee (*i.e.*, hourly) is summoned for jury service, jury duty pay will be calculated on your base pay rate times the number of hours you would otherwise have worked on the day of absence. Pay for jury duty and other court commitments will not be considered hours worked for purposes of computing overtime pay. Duration of payment for jury duty by Derby Services will be handled in accordance with federal, state, and local law and handled on a case by case basis.

You must show the jury duty summons to your supervisor as soon as possible so that your supervisor may make arrangements to accommodate your absence. Of course, you are expected to report for work whenever the court schedule permits.



If you are chosen to serve as a juror, you will be paid for the scheduled straight-time hours away from work.

Either you or Derby Services may request an excuse from jury duty if, in the employer's best judgment, your absence would create serious operational difficulties.

Accrual for benefits calculations, such as paid time off benefits, will not be affected during jury duty leave.

Court commitments include service for jury duty and giving trial or deposition testimony only when you are not a party to the action.

SECTION 1004: PERSONNEL RECORDS

Derby Services maintains a personnel file on each employee. The personnel file includes such information as your job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records, to the extent available.

Generally, personnel files are the property of Derby Services, and access to the information they contain is restricted. Your supervisor, Human Resources, or an Derby Services Management Team Member, who has a legitimate reason to review information in your file, is allowed to do so.

If you wish to review your own file, you should contact your supervisor. With reasonable advance notice, you may review your own personnel file in our offices and in the presence of your supervisor, Human Resources, or an Derby Services Management Team Member.

Derby Services will comply with all applicable state and/or local law to the extent such laws grant the employee greater access to his/her personnel file.

Derby Services will provide full access to personnel records to law enforcement officials or when otherwise directed by law to do so. Other outside parties or agencies are not provided any information contained in your records, except in cases where employment salaries and other limited information is *verified* and specifically authorized by the employee and/or former employee. If you have any questions regarding the contents of your personnel file, please make an appointment with your supervisor, Human Resources, or an Derby Services Management Team Member for a mutually convenient time. Personnel files cannot be removed from Derby Services property.



SECTION 1005: EMPLOYMENT VERIFICATIONS

If you need to have Derby Services verify employment information to an outside entity (*i.e.*, Apartment complex, home mortgage, loan application, etc.), you must sign a release at Derby Services to permit Derby Services to give out this information. Only the designated management employee for these matters is permitted to give out this information for employees. No other employee may give out this information.

For former employees, the designated Derby Services employee **only** will respond to all reference check inquiries from other employers, only when a signed release from the employee with specific instructions on what information can be released is received. Responses to such inquiries will verify only dates of employment, wage rates, and position(s) held, unless otherwise required by law. Employment verifications conducted by anyone other than Derby Services designated employee is strictly prohibited.

SECTION 809: EMPLOYEE PROBLEM RESOLUTION PROGRAM

INFORMAL COMPLAINT PROCEDURE

Derby Services encourages an open and frank atmosphere in which any problem, conflict, concern, complaint, suggestion, or question receives a timely response from Derby Services supervisors and management. Derby Services tries hard to ensure fair and honest treatment of all employees. We expect supervisors, managers, and employees to treat each other with mutual respect. Derby Services encourages employees to give positive and constructive criticism to each other.

If you disagree with Derby Services' rules of conduct, policies, or practices, or if you experience a problem conflict or have a complaint, **you are required** to follow this Problem Resolution Program before taking any legal or other action. Failure to engage in the Problem Resolution Program may result in discipline including, but not limited to, termination.

The follow steps **must** be followed:

1. You present the problem, conflict, complaint, concern or question to your supervisor after the incident occurs. If your supervisor is unavailable or you believe it would be inappropriate to discuss it with your supervisor, you may present the problem to any other member of management.
2. Your supervisor responds to the problem during discussion or after consulting with appropriate management, when necessary. Your supervisor documents the discussion.
3. You present the problem to the Human Resources Department if the problem is not resolved to your satisfaction.



4. The Human Resources Department counsels and advises you, helps you to put the problem in writing, visits with your managers, if necessary, and directs you to the President of the Company for a review of the problem.
5. You present the problem to the President of the Company in writing.
6. The President of the Company reviews and considers the problem. The President of the Company informs you of the decision and forwards a copy of the written response to the Human Resources Department for your file. The President of the Company has full authority to make any adjustment that is determined to be appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction. However, we believe that honest discussion and listening to each other will build confidence between employees and management and help make Derby Services a better place to work. Employees wishing to use the informal resolution process should contact James Roberts or Rory Wilson. (*See p.4*). **

As an employee of Derby Services, you are required to follow this administrative process for problem resolution BEFORE any legal or other action is taken. Failure to follow this policy may result in discipline up to and including termination.

FORMAL COMPLAINT PROCEDURE

1. Derby Services encourages any person who believes that he/she has been subjected to discrimination to immediately report the incident to their District Manager. The complainant will be advised of the procedures for filing a formal complaint of discrimination.
2. Complaints should be filed as soon as possible after the conduct which is giving rise to the complaint, but no later than thirty (30) working days after the event occurred.
3. In order to initiate the investigation process, the complainant should submit a signed, written statement setting out the details of the conduct that is the subject of the complaint, including the complainant's name, signature, and contact information; the name of the person directly responsible for the alleged violation; a detailed description of the conduct or event that is the basis of the alleged violation, the date(s) and location(s) of the occurrence(s); the names of any witnesses to the occurrence(s); the resolution sought; and any documents or information that is relevant to the complaint. While an investigation may begin on the basis of an oral complaint, the complainant is strongly encouraged to file a written complaint.

COMPLAINT INVESTIGATION

1. The District Manager or President is responsible for investigating formal complaints. If the complaint is not in writing, the investigator should prepare a statement of what he or



Employee Handbook & Safety Manual – 2018

she understands the complaint to be and seek to obtain verification of the complaint from the complainant.

2. Within ten (10) working days of receipt of a complaint, the District Manager or President will authorize an investigation of the complaint.
3. As part of the investigation process, the accused individual shall be provided with a copy of the allegations and be given the opportunity to respond verbally and/or in writing within a reasonable time frame.
4. The complainant and the accused individual may present any document of information that is believed to be relevant to the complaint.
5. Any persons thought to have information relevant to the complaint shall be interviewed and such interviews shall be appropriately documented. The investigation of a complaint will be concluded as soon as possible after receipt of the written complaint.
6. Upon completion of the investigation, a written report will be issued. The report shall include: a recommendation of whether a violation of the policy occurred, an analysis of the facts discovered during the investigation, any relevant evidence and recommended disciplinary action if a violation of the policy occurred.
7. Within thirty (30) working days of receiving any comments submitted by the complainant or respondent, the Project Manager or Owner will take one (1) of the following actions:
 - ✓ Request further investigation into the complaint;
 - ✓ Dismiss the complaint if the results of the completed investigation are inconclusive or there is insufficient reasonable, credible evidence to support the allegation(s); or,
 - ✓ Find that this policy was violated. A decision that this policy was violated shall be made upon the record provided by the investigator and any comments submitted by the complainant or respondent.
8. If Derby Services determines that this policy was violated; he or she will take disciplinary action that is appropriate for the severity of the conduct. Disciplinary actions can include, but are not limited to: verbal reprimands, written reprimands, suspension, and dismissal.
9. The complainant and the respondent shall be informed in writing of the administrative official's decision.

PROVISIONS APPLICABLE TO ALL COMPLAINTS

Assistance: During the complaint process, a complainant or respondent may be assisted by a person of his/her choice; however, the assistant may not examine witnesses or otherwise actively participate in a meeting or interview.



Retaliation: An employee who retaliates in any way against an individual who has brought a complaint pursuant to this policy or an individual who has participated in an investigation of such a complaint is subject to disciplinary action, including dismissal.

False Complaints: Any person who knowingly and intentionally files a false complaint under this policy or any person who knowingly and intentionally makes false statements within the course of the investigation will be subject to criminal charges and immediate dismissal from Derby Services.

CONFIDENTIALITY AND DOCUMENTATION

Derby Services shall document complaints and their resolution of the process for which they are responsible to conduct. To the extent permitted by law, complaints and information received during the investigation will remain confidential. Relevant information will be provided only to those persons who need to know in order to achieve a timely resolution of the complaint.

SECTION 1201: NOTICE PERIOD

LEAVING EMPLOYMENT

All employees are requested to submit, in writing, notice of intent to leave employment at least two (2) weeks prior to the actual date of resignation so we can attempt to meet our staffing and customer needs. Derby Services may choose at its discretion to terminate the employee immediately. However, just as any employee may resign at any time, for any reason or for no reason at all, Derby Services reserves the right to release an employee at any time, for any reason or for no reason at all, with or without cause. This is at-will employment. The Principals of Derby Services are the only individuals who have authority to make an exception to this at-will policy, and it must be in writing, directed to you personally, and signed by them. This at-will policy applies to all of our employees, irrespective of their length of service, and will continue to apply to your employment as long as your work for Derby Services. All benefits stop on the day following your separation from employment.

This booklet is the property of Derby Services and must be returned to Derby Services upon leaving employment. Upon termination of employment, all Derby Services' property, including office keys, the Employment Handbook and Safety Manual and all other proprietary, confidential, and trade secret documents/information (originals and copies) in the employee's actual or constructive possession must be immediately returned to Derby Services.

RETURN OF PROPERTY

Derby Services may assign you property, materials, tools, or written information to help you do your job. You are responsible for protecting and controlling any property Derby Services may assign you. Please refer to the Operations Manual for forms, vehicle maintenance, and procedures information.



Employee Handbook & Safety Manual – 2018

You must return assigned items promptly if we ask. If you stop working at Derby Services, you must return **all** Derby Services property immediately, including but not limited to, documents, keys, computers, computer files, and equipment. A checklist will be issued upon termination.

If property, materials, tools or written information is not returned in good condition or in the same condition as when provided minus reasonable wear and tear, the Derby Services has the right to pursue you in a civil action to recover damages.

PAY AT TIME OF SEPARATION

Employees separated from employment will be paid for time worked (less deductions) on the next regular payday according to the applicable federal and state law. Any accrued vacation time will also be paid at this time.