

Policies and Procedures

Allegheny Crane Rental
Appalachian Basin Crane
Appalachian Basin Energy Logistics
Athena Global
Full Circle Development
KP Builders
KP Development
PyRsquared Group
The George Washington
Referred to as 'the Company'

4200 Steubenville Pike
Pittsburgh, PA 15205

As of September 10, 2019

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THE COMPANY

The policies and procedures contained herein are superseded by Collective Bargaining Agreements, and Federal, State and Local Laws.

Equal Opportunity Employment

The Company provides equal employment opportunities to all applicants, without regard to unlawful considerations of, or discrimination against race, religion, creed, color, nationality, sex, sexual orientation, gender identity, age, ancestry, physical or mental disability, medical condition or characteristics, marital status, or any other classification prohibited by applicable local, state or federal laws. This policy is applicable to hiring, termination, promotion, compensation, schedules, job assignments, discipline, training, working conditions, and all other aspects of employment. As an employee, it is expected for all to honor this policy and to take an active role in keeping harassment and discrimination out of the workplace.

Immigration Law Compliance

All employees hired by the Company will be required to establish and certify their identity and right to work in the United States. Each individual employed by the Company will be required to produce, within three (3) days, proof of identity and eligibility to work in the United States. Each individual hired by the Company will be required to certify on the appropriate I-9 Form his/her identity and right to work in the United States.

At-Will Notice

The employee is not hired for any definite or specified period of time even though wages are paid regularly. The company is an at-will employer and employment can be terminated at any time, with or without cause, and with or without prior notice. Company policy requires all employees to be hired at-will and this policy cannot be changed by any oral modifications. There have been no implied or verbal agreements or promises to the employee that the employee will be discharged only under certain circumstances or after certain procedures are followed.

The job of an "at-will" employee is not guaranteed. It may be ended, at any time and with or without notice, by the employee or, for a lawful reason, by the Company. The Company also reserves the right to alter an "at-will" employee's benefits, pay rate, and assignments as it sees fit. The "at-will" terms of an employee's employment may only be changed by the President.

Reasonable Accommodations

It is the policy of the Company to comply with all the relevant and applicable provisions of the federal Americans with Disabilities Act (ADA), as well as state and local laws concerning the employment of persons with disabilities. The Company will not discriminate against any qualified employee or job applicant because of a person's physical or mental disability with respect to any terms, privileges, or conditions of employment, including but not limited to hiring, advancement, discharge, compensation, and training.

The Company will accommodate employees diagnosed with life-threatening illnesses. Provided the company receives medical papers proving it is safe and does not pose concern or further harm to the employee, or others, and work output remains at acceptable standards.

Employees who become disabled should notify administration if the conditions of the disability impair their ability to perform the essential functions of the position. Where necessary and feasible, reasonable accommodations will be made for qualified disabled employees to perform the essential functions of the job in question, if the accommodation does not cause the Company undue hardship.

Fair Labor Standards Act (FLSA)

The Fair Labor Standards Act sets minimum wage, overtime pay, recordkeeping, and youth employment standards for employment subject to its provisions. Unless exempt, covered employees must be paid at least the minimum wage and not less than one and one-half times their regular rates of pay for overtime hours worked. The number of employees has no bearing on the payment of overtime. However, it may impact the minimum wage rate.

The Company will keep certain records for each non-exempt worker. The Act requires no particular form for the records, but does require that the records include certain identifying information about the employee and data about the hours worked and the wages earned. The law requires this information to be accurate. The following is a listing of the basic records that an employer must maintain:

- Employee's full name and social security number.
- Address, including zip code.
- Birth date, if younger than 19.
- Sex and occupation.
- Time and day of week when employee's workweek begins.
- Hours worked each day.
- Total hours worked each workweek.
- Basis on which employee's wages are paid (e.g., "\$9 per hour", "\$440 a week", "piecework")
- Regular hourly pay rate.
- Total daily or weekly straight-time earnings.
- Total overtime earnings for the workweek.
- All additions to or deductions from the employee's wages.
- Total wages paid each pay period.
- Date of payment and the pay period covered by the payment.

The Company will preserve for at least three years' payroll records, collective bargaining agreements, sales and purchase records. Records on which wage computations are based should be retained for two years, i.e., timecards and piece work tickets, wage rate tables, work and time schedules, and records of additions to or deductions from wages. These records must be open for inspection by authorized company representatives, who may ask the employer to make extensions, computations, or transcriptions. The records may be kept at the place of employment or in a central records office.

The Company may use any timekeeping method. For example: a time clock or a timekeeper. Any timekeeping plan is acceptable as long as it is complete and accurate.

Many employees work on a fixed schedule from which they seldom vary. The Company may keep a record showing the exact schedule of daily and weekly hours and merely indicate that the worker did follow the

schedule. When an employee is on a job for a longer or shorter period of time than the schedule shows, the Company must record the number of hours the employee actually worked, on an exception basis.

See Appendix: Forms for:

- FLSA Test Form*

HIRING POLICY

The Company believes that hiring qualified individuals to fill positions at the company contributes to the overall strategic success of the Company. Each employee, while employed, is hired to make significant contributions to the Company. In hiring the most qualified candidates for positions, the following hiring process should be followed.

See Appendix: Forms for:

- *Employee Hiring Checklist*

Job Vacancies

It is the philosophy of the Company to promote from within whenever possible. When a job opening occurs, the Company will post the opening for internal and external candidates in the common rest area. Internal candidates will have priority for selection. Eligible internal candidates will be part-time, full-time, or salaried employees with six or more months of continuous Company employment, and have a satisfactory performance and attendance record.

Job Postings

Openings will be communicated to management, posted in common areas and via online tools (i.e. Craigslist, Monster, email, etc.). The Company may also utilize a hiring agency to streamline the hiring process if candidates are not satisfactorily meeting the description and qualification needs after 30 days of posting. For Collective Bargaining Agreement companies, the local union representative should be notified of openings when posted. Postings shall remain open until position is adequately filled, or a specified date is provided on the posting. If for any reason the job requirements change, the position will be reposted with the appropriate changes noted.

Each job posting will contain the following information:

- Job title
- Department of the Company (if applicable)
- Company Blurb
- Job Summary: complete job description, which includes: a concise summary of principal duties, responsibilities and requirements of the job, and minimum qualifications of the candidates for the job
- Essential Functions
- Qualifications
- Physical Qualifications
- Pay range: Hourly rate, Salary range, or terminology discussing compensation
- Location
- Key Wording: Applicant will require successful background and drug test. EEO statement.
- Obtain and complete an application, or the required documents as stated in the job posting, from the online source, the Company website, or Human Resources.
- Internal candidates should obtain signature of their immediate supervisor on an application. This will acknowledge the supervisor's awareness that the employee is submitting his/her name as a candidate.

The application materials of each candidate will be evaluated by the hiring manager or Human Resources to determine whether candidates meet the established qualification standards for each position. Applicants

meeting the established qualification standards become candidates and will have their application materials forwarded to the appropriate hiring manager for consideration. Internal candidates are preferred. Management and Human Resources will interview candidates to discuss their qualifications and interest. After initial interview, candidates will be notified for further consideration, or lack thereof. For internal candidates, managers may request to review original employment application, resume, and two most recent performance evaluations.

Upon concurrence of selected candidate and salary, HR will extend an offer to the candidate. Following acceptance by an internal candidate, the candidate's supervisor will be notified, and a transfer date will be determined. Additionally, candidates not selected will be notified of the position's closing and selection of another candidate. Internal candidates may discuss reasons with Human Resources.

Normally, the successful candidate will fill the new position within two weeks of the job award. If, however, this is not possible and more than two weeks is required for the convenience of the Company, any new salary associated with the employee's job change will become effective no later than four weeks after the date of the award.

See Appendix Forms for:

- *Sample Posting:*

Applying for Employment

An application must be completed for employment. It is to be kept in the employee's personnel file. Prior to making an offer of employment, the Company may conduct a job-related background check. A comprehensive background check may consist of prior employment verification, professional reference checks, education confirmation, and / or criminal record and credit checks. Third-party services, such as Intelius, may be hired to perform these checks.

A completed application is necessary for completion by the applicant. It does contain an authorization statement which the applicant must acknowledge by signing and dating. The statement indicates the information on the application provided is true, correct, and complete. Further, the statement authorizes criminal background screening and driver history review, which can be completed by third party.

See Appendix: Forms for:

- *Employment Application*

Interviews

The minimum documentation the Company should maintain from interviews is a list of applicants who've progressed to candidates, the candidates interviewed and selected, with a brief note on why they were selected. This list should be kept for a minimum of one year.

Immediately after an interview, the candidate's strengths and weaknesses of the applicant should be documented. Poor ratings can be attributed to the applicant's interest in job, qualifications, and inconsistencies between application and interview.

Background & Reference Checks

Prior to making an offer of employment, the Company may conduct a job-related background check. A comprehensive background check may consist of prior employment verification, professional reference checks, education confirmation, and / or criminal record and credit checks. Third-party services may be hired to perform these checks.

A completed application is necessary for the interview and hiring process and must be completed by the applicant before the first interview. It does contain a statement which the applicant must acknowledge by signing and dating. The statement on the application indicates the information on the application provided is true, correct, and complete. Further, the statement authorizes criminal background screening and driver history review. Candidates are subject to the checks via third party, such as Intelius.

See Appendix: Forms for:

- Employment Application*

Job Offer

A job offer letter is to be provided to every employee to clearly indicate their title, responsibilities, compensation and benefits.

The key information in a job offer is:

- Job title
- Base salary, and if appropriate, commissions and bonuses
- Effective Start Date
- Deadline for acceptance
- Benefits, if applicable
- At-Will Basis statement

See Appendix: Forms for:

- Sample Offer Letter*

Candidate Rejection

Candidate's interviewed who are not selected for the position should receive a letter of rejection or offer.

See Appendix: Forms for:

- Sample Rejection Letter*

Newly Hired Employee

Each employee file should contain a completed application. In addition, the following should be completed and filed according to employee file guidelines.

See Appendix: Forms for:

- Application – with consent for background & reference checks, and drug screen*
- New Hire Checklist*
- New Employee Information Sheet*
- Form W-4*
- Residency Certification Form*
- Form I-9*
- New Health Insurance Marketplace Coverage Options and Your Health Coverage*
- Direct Deposit Authorization*
- Employee Rights and Responsibilities Under FMLA*
- Commercial Driver Questionnaire #10*
- Pennsylvania Child Abuse History Clearance*
- Handbook Acknowledgement*
- Non-Compete Agreement*
- Credit Card Acknowledgement*

New Hire Orientation should be covered with the new employee by the hiring manager during the first week of employment.

- Review benefits and complete any necessary documents
- Review method of paying wages (i.e. Timecard/clock usage and timesheet submissions).
- Describe workplace guidelines and obligations.
- Meet staff members and gain understanding of company structure and duties.

See Appendix: Forms for:

- New Employee Checklist and Orientation*

COMPANY PROTOCOL

Personnel Records Management

Human Resources will maintain records related to each employee and the employee's employment history. The records will be considered confidential.

Categorized files are to be kept in separate folders, and securely stored in different locations. The categories are:

- Immigration Services (USCIS) Form I-9 and supporting documents confirming employment eligibility
- Employment Records (i.e. Pay Data, Reviews, Credit Reports and consumer-related credit information, if applicable)
- Health Records
- Certifications and Licensures

Managers and supervisors may only have access to personnel file information on a need-to-know basis. Personnel files are to be reviewed, in the Human Resources department, and never removed, even by managers and supervisors. If the employee wishes to review the employee's personnel file, it must be in the presence of management or Human Resources. The employee may review the personnel file by making a written request to management. The written request will become a permanent part of the employee's file.

A manager or supervisor considering the hire of a former employee or the transfer of a current employee may be granted access to the file, or limited parts of it, in accordance with anti-discrimination laws. Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information with a valid subpoena or a valid court order.

External sources wishing to retrieve information on a former employee should not be discussed on the phone, nor by non-management or Human Resources. The external source should fax their verification form and an authorization letter from the employee. Human Resources or management may complete only the verification of employment sections in which the employee was, or was not, an employee of the company, and the valid time frames(s) of employment.

See Appendix: Forms for:

- *Personnel Files Management List*

Anniversary Date

The date of hire is the official employment anniversary date.

Transfers

Management reserves its right to place employees where, and in whatever jobs it deems necessary. All job transfers, job changes, reassignments, promotions or lateral transfers are at the discretion of the Company.

Employment of Relatives

The Company does not have a general prohibition against hiring relatives. However, a few restrictions have been established to help prevent problems of safety, security, supervision and morale.

While the company will accept and consider applications for employment from relatives, close family members such as parents, grandparents, children, spouses, brothers and sisters, or in-laws, the applicant generally may not be hired into positions where they have access to sensitive information regarding a close family member, or if there is an actual or apparent conflict of interest.

The Company will not hire relatives to work in any potentially disruptive situation (Direct Supervisory Role). An employee must inform the Company if a fellow employee becomes a relative. If at any time the company perceives the situation to be dysfunctional, the company may have to reassign or ask for one relative's resignation in order to remedy the situation.

Length of Service

Length of service is the employee's length of continuous service commencing on the date of hire at the Company. The length of service flows until the date of separation.

Employment of Minors

The Company adheres to FSLA standards, including the following:

- Minimum employment age (14 for non-agricultural work)
- Maximum weekly hours for employees under 16
- Proper Breaks for minors
- Minimum hazardous job employment age (18)
- Sub-minimum wage standards for students, apprentices, disable employees, and under the age of 20

COMPENSATION POLICY

In order to attract and retain qualified personnel with the potential to assume responsible positions within the organization and to fill openings at all levels, it is the Company's policy to maintain consistent and competitive salary ranges based on the economic requirements of the corporation, and commensurate with those of the community in which we operate. It is the Company's goal to optimize compensation, sales, profits, and customer value.

Guidelines of the Compensation Policy

Before an applicant may be hired or an employee promoted to a new or revised position, a job description must be prepared. The position must be evaluated, approved, and placed in a salary group.

Hiring rates for new employees shall be determined by the human resources department, or executive management. Normally, this rate should not be less than the minimum rate for the position and not more than the top of the first salary grade quartile, unless the applicant possesses qualifications clearly exceeding those generally required for the position, or competitive conditions in the area indicate the starting rate should be increased. If an applicant is hired above the first quartile, salary will have a limiting effect upon amounts subsequently available for merit increases within that salary grade.

Merit increases are in-grade adjustments in salary, granted for increased proficiency and/or changes in position that is not sufficient to warrant reclassification. Length of service may be considered in assessing proficiency, but it shall not be the determining factor. Merit increases will be determined based on current market trends.

Merit increases may not be granted more frequently than once each year to exempt employees.

Nonexempt employees who are hired in or promoted to their grade at a salary below the midpoint of the salary range for the position will be eligible for a review of their salary, upon completion of six months' service. Upon completion of an additional six months' service, employees in this category may again be considered for a merit increase. Thereafter, merit increases may only be granted at intervals of one year or more.

In administering this policy, it should be remembered that merit increases are not automatic; nor are the percentage increases "fixed" in all cases. The employee's behavior and performance on the job should always be the governing factor in determining the amount and time interval in granting salary increases.

Each succeeding salary increase within the range should be considered in the light of increasingly higher standards of performance. The midpoint in the range is the salary that is considered to be a fair and equitable rate of compensation for an employee who is fully qualified from the standpoint of training and experience, and whose demonstrated performance on the job over a period of time (usually two to four years) is entirely satisfactory in all respects.

The third quartile of the salary range is the portion that is considered an equitable rate of compensation for an employee who has consistently demonstrated above-average performance on the job over a long period of time, and/or for an employee whose potential for advancement to the next higher salary group is assured.

The fourth quartile of the salary range should be applied to not more than 20 percent of the employees in any section, group, department, or division. This portion of the salary range is to be reserved for administering the salaries of employees whose achievements are seldom equaled, whose performance is consistently rated excellent, and/or for an employee whose potential for advancement several salary groups higher has been tested and determined. Records will be maintained for each department and division to ensure precise observance of this rule.

Promotion is the advancement from a position in one salary grade to another in a higher salary grade. When promoted, a fully qualified employee should receive the minimum salary for the new position. However, the new salary should be as much above the minimum salary as is necessary to provide a reasonable promotional increase.

A promoted employee may be paid a rate less than the base salary for the new position when, in the judgment of the department head, the incumbent's qualifications have not yet been proven.

Reclassifications may be made when a major change in the position content occurs, or when the incumbent in the position relinquishes or assumes substantial responsibilities. When a position warrants reclassification, it shall be re-described and re-evaluated and assigned to the proper position classification. If, as a result of re-evaluation, a position is changed to a higher or lower salary grade, the incumbent's salary should be adjusted to reflect the promotion or demotion, as the case may be.

When a position is upgraded because of a change in marketplace value, this is not a promotional increase. The only salary change is an adjustment to bring the incumbent(s) up to the minimum of the new grade should the current salary be below the minimum of the new grade established.

Transfers may be effected from one position to another within the same salary grade, or from a position in one department to a position of equal value in another department. An employee shall not be transferred to a new or revised position, however, until the position has been described, evaluated, and approved. An employee shall not receive an adjustment in salary unless a promotion is involved.

Factors generally to be considered in setting pay levels for a position include knowledge, skill, and abilities required for the position, pay levels in the community, working conditions, special licenses required, scope of responsibility, management responsibility, and budget responsibility.

Factors generally to be considered in setting the pay for an employee include experience, performance, education, licenses, working conditions, scope of responsibility, management responsibilities, and budget responsibilities.

See Appendix: Forms for:

- *Wage and Salary Plan*

Employment Classifications

The Company has established the following Employee Classifications for compensation and benefit purposes only. Management will inform employees of their classification, status, and responsibilities at the time of hire, rehire, promotion, or at any time a change in status occurs. These classifications do not alter the at-will employment status. Non-exempt employees are covered by FLSA rules and regulations; exempt employees are not covered. Exempt positions are excluded from minimum wage, overtime regulations, and other rights and protections afforded nonexempt workers. FLSA rules that employers must pay a salary rather than an hourly wage for a position for it to be exempt. Nonexempt employees are not exempt from FLSA requirements. Employees who fall within this category must be paid at least the federal minimum wage for each hour worked and given overtime pay of not less than one-and-a-half times their hourly rate for any hours worked beyond 40 hours each week.

Regular Full-Time Employee:

An employee who is scheduled to work no less than 100% of the scheduled work hours in a work week on a fixed work schedule (not less than 40 hours). The employee may be exempt or non-exempt and is eligible for all employment benefits, if applicable, offered by the Company.

Regular Part-Time Employee:

An employee who is scheduled to work less than 40 hours in a workweek.

Temporary Employee:

An employee who is scheduled to work on a specific need of the Company. The employee will not receive any benefits unless specifically authorized in writing. The employee is non-exempt and is compensated on an hourly basis.

Exempt:

Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from overtime pay requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet his/her work responsibilities. This includes managers and assistant managers as well as designated office personnel.

Non-exempt:

Employees whose positions do not meet FLSA and state exemption tests and who are paid 1.5x their regular rate of pay for overtime hours worked. Unless notified otherwise in writing by Management, all employees of the Company are non-exempt.

Independent Contractors & Consultants:

Contractors and Consultants are not employees, but rather self-employed professionals whom we hire for specific projects. Unlike employees, they do not operate under Company direction, and control their own methods, materials and schedules. They are not eligible for Company benefits.

Pay Periods

The standard workweek for the Company will begin at 12:01 a.m. Sunday and end at midnight the following Saturday. KP Builders and Allegheny Crane Rental has a weekly pay period which runs from Monday-Sunday.

Pay Distributions

The designated pay period for all employees is bi-weekly. Paychecks are distributed on the Friday following close of the pay period. Except, if any date of paycheck distribution falls on a holiday, the employee shall be paid on the preceding workday.

Due to Collective Bargaining agreements the following are exceptions to the above:

- Allegheny Crane Rental has a weekly pay period. Distribution is on the following Wednesday.
- KP Builders has a weekly pay period. Distribution is on the following Friday.

Pay Adjustments

All pay increases are based upon merit and market factors. There may not be an automatic annual cost of living or salary adjustment to reflect current economic conditions.

The employee's pay also may be adjusted downward. Salary decreases may take place when there is: job restructuring, job duty changes, job transfers, or adverse business economic conditions.

Overtime

The Company complies with all applicable federal and state laws with regard to payment of overtime work. (See FLSA)

Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over forty (40) in a workweek.

Employees are required to work overtime when assigned. Any overtime the employee works must be authorized by management, in advance. Working unauthorized overtime or refusal or unavailability to work overtime is not acceptable work performance, subject to discipline including but not limited to termination.

Due to Collective Bargaining agreements the following are exceptions to the above:

- Allegheny Crane Rental and KP Builders receive overtime rate after an eight-hour workday, overtime rate on Saturday hours, and double time on Sunday and holiday hours.

Commission Structure

Any sales person being offered a commission plan will have that plan detailed out in a private offer letter. This letter will be agreed upon by both the employer and the employee, signed, dated and then placed in the employees file. All commission based sales must be reported weekly with the appropriate documentation and the commission will be issued after the job has been completed and paid for.

Deductions & Garnishment

Federal and state law requires the Company to deduct the following from every paycheck:

- Social Security
- Income Tax (federal and state)
- Medicare
- State Disability Insurance & Family Temporary Disability Insurance
- Other deductions required by law or requested by the employee

A Wage and Tax Statement (W-2) recording the previous year's wages and deductions will be provided at the beginning of each calendar year.

If at any time the employee wishes to adjust income tax withholding, please advise payroll when handing in timesheet and complete a new W-4 form.

Wage Garnishment

The Company may receive legal papers that compel the company to garnish an employee's paycheck. By law, the Company must abide by this either until ordered otherwise by the court or until the debt is repaid in-full from withheld payments.

Performance Evaluation

All employees will receive an evaluation of job performance from supervisors, managers, and/or Human Resources annually between March 1 and March 31. The Company will provide a self-evaluation to the employee prior to the evaluation meeting, which will be discussed during the meeting. The purpose of the evaluation is to provide a means for discussing, planning and reviewing the performance of each employee.

Regular performance evaluations:

- Help employees clearly define and understand their responsibilities.
- Provide criteria by which employees' performance will be evaluated.
- Suggest ways in which employees can improve performance.
- Identify employees with potential for advancement.
- Help managers distribute and achieve departmental goals.
- Provide a fair basis for awarding compensation based on merit.

While, performance evaluations influence salaries, promotions and transfers, it is critical that supervisors be objective in conducting performance reviews and in assigning overall performance ratings. The performance evaluation will be discussed and signed by both the employee and the manager to ensure that all strengths, areas for improvement and job goals for the next review period are clearly communicated. The completed and signed evaluation form will be placed in the employee's personnel file. The employee will receive a copy of the performance evaluation.

The employee's overall performance and salary level relative to position responsibilities must be evaluated to determine whether a salary increase is warranted. Out-of-cycle salary increases must be pre-approved by management and/or human resources, unless dictated by a collective bargaining agreement.

Since pay increases are based on merit, the performance evaluation is an important element in the merit review. In addition to the formal annual review, informal counseling sessions may be conducted from time to time.

See Appendix: Forms for:

- Self – Evaluation Form for Performance Evaluation*
- Performance Evaluation Form*

Promotions

The Company is most interested in providing maximum opportunity for advancement within the Company, if advancement opportunities are available. Accordingly, present employees of the Company may be considered for promotions and may be preferred for promotion before any new employees are hired to fill vacancies that may arise. Of course the Company retains sole discretion to determine the factors to be applied in any promotion decision, and the relative weight of the factors.

Demotion

Demotion is a reduction in responsibility usually accompanied by a reduction in salary. If and when a demotion occurs, the employee will maintain length of service with the Company.

Work Assignments

In addition to specific duties that may accompany an employee's job responsibilities, each job also includes "and other assigned duties." From time to time, the employee may be required to perform duties or tasks of a fellow employee who is absent or for a position that is temporarily vacant. The employee will be compensated at regular rate of pay while performing other assigned duties on a temporary basis.

Reimbursement

Pre-authorized reimbursements for emergency work only. Tools required to perform each employees job are not considered for reimbursement and are expected of each employee to report to work properly equipped.

Mileage Reimbursement

The Company will reimburse employees at the business standard mileage rate per IRS requirements for miles traveled by the employee in the employee's car while traveling to and returning from clients, meetings, etc.

Advances and Loans

The Company does not give salary advances or loans to its employees.

BENEFITS

Holidays

Regular full-time employees are entitled to time off for the following six holidays observed by the Company:

- | | |
|---------------------|--|
| 1. New Year's Day | January 1 st |
| 2. Memorial Day | Last Monday in May |
| 3. Independence Day | July 4th |
| 4. Labor Day | First Monday in September |
| 5. Thanksgiving | Fourth Thursday in November and the consecutive Friday |
| 6. Christmas | December 25th |

Hourly employees will be eligible for holiday pay after working for the company for six months. Other days or parts of days may be designated as holidays with pay. No holiday pay will be paid to an employee who is on an unpaid status, on any leave or absent due to workers' compensation. If a holiday falls on a Sunday, the holiday will be observed on the following Monday. If the holiday falls on a Saturday, the holiday will be observed on the preceding Friday.

If Holiday is worked by a Regular, Non-Exempt employee, the day will be paid at a rate of time and one half. If Holiday is worked by a Union Employee, it will be paid at a rate of double time.

The recognized holidays may vary based on Collective Bargaining Agreements.

Vacation

All full-time EXEMPT employees generally working at least forty hours per week will earn paid vacations according to the following schedule. Employees normally working less than full time will have their vacation prorated to reflect the percentage of the full week that is worked. Some employees that are NON-EXEMPT may be offered vacation at his or her manager's discretion.

Years One through Two	One Week
Years Three through Five	Two Weeks
Years Six through Ten	Three Weeks
Years Eleven through Fifteen	Four Weeks
Years Sixteen and beyond	Five weeks

Vacation time earned is based on anniversary date for the first year, each year, it will reset January 1.

All vacation not taken at the time an employee leaves employment will not be paid upon departure.

Vacations need to be requested and scheduled with the appropriate manager and with sufficient notice to not disrupt the workplace.

See Appendix: Forms for:

- Leave / Vacation Request

Medical Insurance

All full-time regular exempt employees are eligible to benefits under the Company's paid medical and life insurance plans, as may be in effect from time to time. The Company reserves the right to change or terminate medical plans or other benefits at any time.

New full-time employees joining the Company will be eligible for coverage thirty (90) days from the date of hire.

Retirement Plan

Employees may be eligible for Simple IRA contributions after one year of employment.

Unemployment Insurance

Employees rendered unemployed through no fault of their own or due to circumstances described by law, can receive unemployment insurance. State agencies administer this insurance and determine benefit eligibility, amount (if any), and duration.

Workers Compensation

Workers' Compensation laws compensate for accidental injuries, death and occupational disabilities suffered in the course of employment. The Company provides Workers' Compensation Insurance for all employees. Generally, this includes lost wages, disability payments and hospital, medical and surgical expenses (paid directly to hospital/physician) and assistance to injured employees in returning to suitable employment. If an employee has unused vacation time or sick days, they must be exhausted first before applying for loss of wages. Once vacation and sick days are used the employee may then seek loss of wage compensation. If modified work duty is available the company will work with medical restrictions to get you back to work quickly and back to your full wage.

Social Security Benefits (FICA)

Both employees and the Company contribute funds to the federal Social Security Program, which provides retirees with benefit payments and medical coverage.

Tuition Reimbursement

Employees are encouraged to take education and training courses related to their profession. To be eligible for tuition reimbursement, an employee must receive prior approval from management, be full-time, have completed a year of employment, and be on the payroll when the course is completed. When appropriate, and with prior approval of the Company, the company will pay for a portion or all of such courses. For approved tuition expenses (not including fees, books or supplies) paid to accredited schools, colleges and universities, no reimbursements will be made for grades lower than a "B" grade. For courses in which the employee can only "PASS" or "FAIL," then they must pass the course to receive reimbursement.

LEAVE POLICIES

Leave of Absence

Employees requiring time off from work may apply for a leave of absence. All leaves must be approved by management. For planned leaves, employees must submit requests as soon as employee becomes aware that a leave is necessary. Emergency leaves must be requested as soon as possible. Accepting/performing another job or applying for unemployment benefits during leave will be considered voluntary resignation.

We consider all requests in terms of effect on the Company and reserve the right to approve or deny requests, except when otherwise directed by law. Any request for a leave of absence due to disability will be subject to an interactive review. A medical leave request must be supported in a timely manner by a certification from the employee's health care provider. Extension of leave must be requested and approved before the current leave ends. No employee is guaranteed reinstatement upon returning from leave, unless the law states otherwise. However, the Company will try to reinstate each returning employee in his or her old position, or one that is comparable.

Should the employee leave the Company's employ and subsequently be rehired, length of service will begin as a new employee on the date of rehire. Length of service does not accrue during leaves of absence without pay or leaves of absence that exceed thirty (30) calendar days.

Below are the three main types of leave that the Company offers employees. Some, but not all, are governed by law.

1. **Work-Related Sickness & Injury**
Employees eligible for Worker's Compensation rendered unable to work because of work-related injury or illness will receive an unpaid leave for the period required. For eligible employees, the first 12 weeks will be treated concurrently as a family and medical leave under the Family and Medical Leave Act.
2. **Maternity**
An employee disabled on account of pregnancy, childbirth, or a related medical condition may request an unpaid leave of absence of up to 12 weeks. Time off may be requested for prenatal care, severe morning sickness, doctor-ordered bed rest and recovery from childbirth.
3. **Election Days**
Provided an employee's schedule does not allow time for voting outside of work, and that he/she is a registered voter, he/she may take up to two hours, with pay, at the beginning or end of a workday, to vote in local, state or national elections. Employee should provide proof of voting to receive the two hours pays. This does not apply to exempt employees.

Temporary Disability Leave

The Company recognizes that a temporary disability may preclude attendance at work. In such cases, the Company does not have a predetermined specified period of time in which this unpaid leave is granted. Rather, the Company will attempt to reasonably accommodate the needs of the employee, as well, as the needs of the Company. If a leave is granted, any extensions will be subject to the same considerations.

The request for a temporary disability leave must be in writing. The request should be accompanied by a doctor's statement, the date and the estimated date of return, and where appropriate, diagnosis and prognosis. At any time during a temporary leave, management may request a written statement(s) of health. Prior to returning to employment with the Company, the employee will be required to submit written medical certification of the employee's ability to work, including any restrictions. Upon return to work, if qualified, the employee is reinstated to former position or one that is substantially the same, depending upon the availability of any position at that time.

The Company observes and complies with all federal and state medical leave regulations that pertain to our employees. This includes the federal Family Medical Leave Act and any state FMLA provisions that might apply.

The employee may request payment of any vested, but unused paid vacation time prior to the effective date of the temporary disability leave.

Consolidated Omnibus Budget Reconciliation Act (COBRA)

Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may be allowed to continue their health insurance benefits, at the employee's expense, for up to 18 months after experiencing a qualifying event as outlined below. Longer periods of coverage may be available dependent upon the qualifying event.

To qualify for COBRA continuation coverage, an employee must have a qualifying event that causes the employee to lose group health coverage. Upon terminating employee, the health insurance provider will contact employee. The following are qualifying events for:

Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in numbers of hours worked

Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above
- Covered employee becomes eligible for Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses
- Loss of status as a dependent child under the plan rules

Military Leave

If an employee is on an extended military leave of absence, the employee is entitled to be restored to previously held position or similar position, if available, without loss of any rights, privileges or benefits provided the employee meets the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia will be granted temporary leave of absence without pay while engaged in military duty as required by state employment law. A letter from the employee's commanding officer is required to establish the dates of duty.

Jury Service Leave

If an employee is summoned to report for jury duty, the employee will be granted a leave of absence without pay when the employee submits a copy of the original summons for jury duty to the employee's supervisor. The Company reserves the right to request that the employee seek to be excused from or request postponement of jury service if the absence from work would create a hardship to the Company. The employee is to report to work on any day, or portion thereof that is not actually spent in the performance of jury service.

Witness Leave

If an employee is requested to serve as a witness on behalf of the Company, the employee will be granted a witness leave at regular pay for such time as it is necessary to comply with the request. Paid witness leave shall not be granted to an employee subpoenaed as an expert witness, as a party in a case, or as a lay witness other than as delineated above.

Voting Leave

If an employee cannot vote because of scheduled work hours, the employee will be given up to two hours to vote in any state or federal election. Employees must provide proof that they voted to receive the two hours.

Bereavement Leave

A full-time employee of the Company may request a leave of absence with pay for a maximum of three (3) consecutive working days upon the death of a member of his or her immediate family. Members of the immediate family are defined as: father, mother, spouse, child, sister, brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

FAMILY MEDICAL LEAVE (FMLA)

The Federal Family & Medical Leave Act of 1993 (FMLA) as amended in 2008 and 2013 requires employers with 50 or more employees to provide eligible employees with unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. The following provides a general overview of two types of leave available, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

See Appendix: Forms for:

- Certification of Health Care Provider for Employee's Serious Health Condition. DOL Form WH- 380-E*
- Certification of Health Care Provider for Family Member's Serious Health Condition. DOL Form WH 380-F*
- Certification of Qualifying Exigency for Military Family Leave. DOL Form WH-384*
- Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave. DOL Form WH- 385*

FMLA Eligibility

Employees are eligible for FMLA leave if they:

1. Have worked for the company for at least 12 months in the last 7 years;
2. Have worked at least 1,250 hours for the company during the 12 calendar months immediately preceding the request for leave; and
3. Are employed at a work site that has 50 or more employees within a 75-mile radius.

Basic FMLA Leave

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during any 12-month period for one of the following reasons:

1. To care for the employee's son or daughter during the first 12 months following birth;
2. To care for a child during the first 12 months following placement with the employee for adoption or foster care;
3. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
4. For incapacity due to the employee's pregnancy, prenatal medical or child birth; or
5. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

Military Family Leave

There are two types of Military Family Leave available:

1. *Qualifying exigency leave.* Employees meeting the eligibility requirements described above may be entitled to use up to twelve (12) weeks of their Basic FMLA Leave entitlement to address certain qualifying exigencies. Leave may be used if the employee's spouse, son, or daughter, is on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation. Qualifying exigencies may include:
 - Short-notice deployment (up to seven (7) days of leave)
 - Attending certain military events
 - Arranging for alternative childcare
 - Addressing certain financial and legal arrangements
 - Periods of rest and recuperation for the service member (up to fifteen (15) days of leave)
 - Parental Care
 - Attending certain counseling sessions
 - Attending post-deployment activities (available for up to ninety (90) days after the termination of the covered service member's active duty status)
 - Other activities arising out of the service member's active duty or call to active duty and agreed upon by the company and the employee
2. Leave to care for a covered service member. There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has been rendered medically unfit to perform his or her duties due to a serious injury or illness incurred in the line of duty or while on active duty, and/or pre-existing injuries or illnesses that were aggravated in the line of duty, that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list. In addition, leave will be provided to eligible family members of certain veterans receiving medical treatment, recuperation, or therapy if the veteran was a member of the Armed Forces at any time during the five (5) year period preceding the date of the medical treatment, recuperation, or therapy.

After the leave, the employee must be restored to the same or essentially-same position held before the leave. Health care benefits will be maintained during the leave.

Notification

There are very specific notice requirements for employees wishing to take FMLA leave as well as for employers in informing employees of their FMLA rights, and in responding to their requests for leave. An underlying principle is that employees must give their employers as much notice of the need to take leave as is possible and practicable, considering all the facts and circumstances. More notice is required if the leave is more foreseeable (for childbirth or elective surgery, for example). Employees generally must follow their employer's usual and customary procedures for reporting absences and leaves, and if they want to substitute paid leave for unpaid FMLA leave, they must follow procedures for obtaining the paid leave. Employees should supply their supervisor with Leave Request as soon as they can provide notice of their intention. If unable to provide notice ahead of time, employee should follow procedures in the Attendance/Tardiness section under Workplace Guidelines.

See Appendix: Forms for:

- Leave / Vacation Request

Employee Notice

Employees seeking to use FMLA leave are required to provide 30-day advance notice of the need to take FMLA leave when the need is foreseeable and such notice is practicable. If leave is foreseeable less than 30 days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer’s usual and customary notice and procedural requirements for requesting leave.

Employees must provide sufficient information for an employer to reasonably determine whether the FMLA may apply to the leave request. Depending on the situation, such information may include that the employee is incapacitated due to pregnancy, has been hospitalized overnight, is unable to perform the functions of the job, and/or that the employee or employee’s qualifying family member is under the continuing care of a health care provider.

When an employee seeks leave for a FMLA-qualifying reason for the first time, the employee need not expressly assert FMLA rights or even mention the FMLA. When an employee seeks leave, however, due to a FMLA-qualifying reason for which the employer has previously provided the employee FMLA-protected leave, the employee must specifically reference either the qualifying reason for the leave or the need for FMLA leave.

Under the regulations, an employee must comply with an employer’s call-in procedures unless unusual circumstances prevent the employee from doing so (in which case the employee must provide notice as soon as he or she can practicably do so). The regulations make clear that, if the employee fails to provide timely notice, he or she may have the FMLA leave request delayed or denied and may be subject to whatever discipline the employer’s rules provide.

Example:

Sam has a medical certification on file with his employer for his chronic serious health condition, migraine headaches. He is unable to report to work at the start of his shift due to a migraine and needs to take unforeseeable FMLA leave. He follows his employer’s absence call-in procedure to timely notify his employer about his need for leave. Sam has provided his employer with appropriate notice.

Employer Notice

Every employer covered by the FMLA is required to post and keep posted on its premises, in conspicuous places where employees are employed, a notice explaining the FMLA’s provisions and providing information concerning the procedures for filing complaints of violations of the FMLA with the Wage and Hour Division. An employer that willfully violates this posting requirement may be subject to a civil money penalty of up to \$110 for each separate offense. Additionally, employers must include this general notice in employee handbooks or other written guidance to employees concerning benefits, or, if no such materials exist, must distribute a copy of the notice to each new employee upon hiring.

When an employee requests FMLA leave or the employer acquires knowledge that leave may be for a FMLA purpose, the employer must notify the employee of his or her eligibility to take leave, and inform the employee of his or her rights and responsibilities under the FMLA. When the employer has enough information to determine that leave is being taken for a FMLA-qualifying reason, the employer must notify the employee that the leave is designated and will be counted as FMLA leave.

Absent extenuating circumstances, the regulations require an employer to notify an employee of whether the employee is eligible to take FMLA leave (and, if not, at least one reason why the employee is ineligible) within five business days of the employee requesting leave or the employer learning that an employee's leave may be for a FMLA-qualifying reason.

At the same time an employer provides an employee notice of the employee's eligibility to take FMLA leave, the employer must also notify the employee of the specific expectations and obligations associated with the leave. Among other information included in this notice, the employer must inform the employee whether the employee will be required to provide certification of the FMLA-qualifying reason for leave and the employee's right to substitute paid leave (including any conditions related to such substitution, and the employee's entitlement to unpaid FMLA leave if those conditions are not met). If the information included in the notice of rights and responsibilities changes, the employer must inform the employee of such changes within five business days of receipt of the employee's first notice of the need for FMLA leave subsequent to any change. Employers are expected to responsively answer questions from employees concerning their rights and responsibilities.

Under the regulations, an employer must notify an employee whether leave will be designated as FMLA leave within five business days of learning that the leave is being taken for a FMLA-qualifying reason, absent extenuating circumstances. The designation notice must also state whether paid leave will be substituted for unpaid FMLA leave and whether the employer will require the employee to provide a fitness-for-duty certification to return to work (unless a handbook or other written document clearly provides that such certification will be required in specific circumstances, in which case the employer may provide oral notice of this requirement). Additionally, if the amount of leave needed is known, an employer must inform an employee of the number of hours, days or weeks that will be counted against the employee's FMLA leave entitlement in the designation notice. Where it is not possible to provide the number of hours, days, or weeks that will be counted as FMLA leave in the designation notice (e.g., where the leave will be unscheduled), an employer must provide this information upon request by the employee, but no more often than every 30 days and only if leave was taken during that period.

FMLA Leave Availability

An eligible employee is an employee of a covered employer who has been employed by the employer for at least 12 months AND has worked at least 1,250 hours (actual hours worked) during the 12-month period immediately preceding start of FMLA leave, and is employed at a work site where 50 or more employees are employed by the employer within 75 miles of that work site. The 12 months of employment need not be consecutive; employment prior to a continuous break in service of seven years or more need not be counted. The employee does not have to work at a work site with 50 or more employees; the employee could work at a site with only 25 employees, for example, and still be covered by the FMLA if other employer sites within the 75-mile radius employed at least 25 employees.

Employee is eligible under these criteria (circle one): Yes No

Medical Certification

An employer may require that an employee's leave to care for his or her own serious health condition, for the seriously ill spouse, son or daughter, or parent, for the qualifying exigency for military family leave, or for the serious injury or illness of a covered service member for military family leave be supported by certification.

The Company requires certification under its FMLA policy or practice.

Benefit – Health Continuation

During FMLA leave, the employer must maintain the employee's coverage under any group health plan at the same level and under the same conditions as would be maintained had the employee continuing actively

working. The employer is required to continue its same portion of premiums as it paid during active employment.

Employee is enrolled in employer's group health plan (circle one): Yes No

If an employee premium contribution is required, arrangements should be made prior to departure.

Intermittent & Reduced Scheduled Leave

When it is medically necessary, employees may take FMLA leave intermittently – taking leave in separate blocks of time for a single qualifying reason – or on a reduced leave schedule – reducing the employee's usual weekly or daily work schedule. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer's operation.

Leave to care for or bond with a newborn child or for a newly placed adopted or foster child may only be taken intermittently with the employer's approval and must conclude within 12 months after the birth or placement.

Employees needing intermittent/reduced schedule leave for foreseeable medical treatments must work with their employers to schedule the leave so as not to disrupt the employer's operations, subject to the approval of the employee's health care provider. In such cases, the employer may transfer the employee temporarily to an alternative job with equivalent pay and benefits that accommodate recurring periods of leave better than the employee's regular job.

Recordkeeping

Employers are required to make, keep, and preserve records pertaining to their obligations under FMLA in accordance with the recordkeeping requirements of the Fair Labor Standards Act (FLSA). The FMLA does not require that employers keep their records in any particular order or form, or revise their computerized payroll or personnel records systems to comply.

Employers must keep the records for no less than three years and make them available for inspection, copying, and transcription by Department of Labor representatives upon request. Records kept in computer form must be made available for transcription and copying.

Covered employers who have eligible employees must maintain records that must disclose the following:

- Basic payroll and identifying information (including name, address, and occupation)
- Rate or basis of pay
- Terms of compensation
- Daily and weekly hours worked per pay period
- Additions to or deductions from wages
- Total compensation paid

In addition, covered employers who have eligible employees must also maintain records detailing:

- Dates of FMLA leave taken by FMLA eligible employees. Leave must be designated in records as FMLA leave, and may not include leave required under state law or an employer plan which is not also covered by FMLA.
- Hours of FMLA leave taken by FMLA eligible employees, if leave is taken in increments of less than one full day
- Copies of employee notices of leave furnished to the employer
- Copies of all written notices given to employees as required under FMLA

- Documents describing employee benefits or employer paid and unpaid leave policies and practices
- Premium payments of employee benefits
- Records of disputes between the employer and the employee regarding FMLA

Records and documents relating to medical certifications, re-certifications or medical histories of employees or employees' family members, created for purposes of FMLA, are required to be maintained as confidential medical records in separate files/records from the usual personnel files. If the Americans with Disabilities Act (ADA) applies, then these records must comply with the ADA confidentiality requirements. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations. First aid and safety personnel may be informed, where appropriate, if the employee's physical or medical condition might require emergency treatment. Government officials investigating compliance must be provided access to relevant information.

Prohibited Acts

The employer is prohibited from interfering with, restraining, or denying the exercise of FMLA rights, retaliating against the employee for filing a complaint and cooperating with the Wage and Hour Division (WHD), or bringing private action to court. For additional information, call the toll-free information and helpline, available 8 a.m. to 5 p.m., 1-866-4-USWAGE (1-866-487-9243).

WORKPLACE GUIDELINES

Hours of Work

The standard workweek for the Company will begin at 12:01 a.m. Sunday, and end at midnight the following Saturday. The normal workweek for a full-time employee will consist of forty (40) hours. KP Builders and Allegheny Crane Rental work weeks are from Monday thru Sunday.

The Company's office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. An office employee is expected to be at their desk, ready to work at 8:00 a.m.

The employee will be given their individual duty hours upon hire and at the time of any change in position. If the employee's normal duty hours are changed or if the Company changes its operating hours, the employee will be given written notice to facilitate their personal planning.

Meal Periods

The employee is entitled to take a non-compensated meal period each workday of one-half (1/2) hour. There must be at least one employee working during this period.

No employee will be scheduled to work more than five (5) consecutive hours in a workday without taking a meal period. Any employee, who is scheduled to work not more than six (6) hours in any workday, may, by mutual agreement between the Company and the employee, work without a meal period.

Rest Periods

Employees will take a fifteen-minute rest period during each half of a full workday.

In recognition of the well documented health advantages of breastfeeding for infants and mothers and as part of our family-friendly policies and benefits, the Company provides a supportive environment to enable breastfeeding employees to express their milk during work hours. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated.

Attendance / Tardiness

Employee attendance is a major concern of the Company. Unsatisfactory attendance, including tardiness and leaving work early, is unacceptable performance. The employee will be rated during performance evaluations in the categories of attendance and punctuality.

If an employee is ill, injured or an unexpected emergency arises which prevents them from coming to work, they must notify their supervisor no later than eight (8) hours before the start of a scheduled workday. If a supervisor is not available, the employee should contact a member of management. If physically unable to contact the Company, the employee should direct another person to make the contact on behalf of the employee. Leaving a message with a fellow staff employee or with the answering service is not considered proper notification.

When an employee calls in absent, the employee is expected to advise the Company of expected date of return. Management reserves the right to require proof of illness, injury or accident, including a doctor's statement(s) or notice(s), for any temporary disability.

Repeated absences, excessive absences (excused or unexcused), or a pattern of absences are unacceptable job performance. The Company will assume that abandonment of position and may be treated as having voluntarily terminated employment with the Company.

If an employee becomes ill at work, a supervisor should be immediately notified. If the employee is unable to perform their job task, the employee will be either sent to a doctor or relieved of their shift and paid only for time actually worked.

The employee shall be at their workstation, prepared to begin work at the start of scheduled work time or resumption of work duties. If not, the employee will be considered tardy. Excessive tardiness, whether excused or unexcused, constitutes as unacceptable work performance. The Company does not categorize tardiness as excused or unexcused. Wages can be reduced by the amount of time the employee is tardy, calculated in whole minutes according to the Company's clock.

All absences are to be arranged for as far in advance as possible. This includes vacations and time off for other reasons. If a doctor or dental appointment must be scheduled during the workday, it should be scheduled as early in the morning or as late in the afternoon as possible.

Vacation time pay may be used for sick leave unless pre-authorized (such as for surgery, etc.).

Personal Appearance

The Company is a professional business based on the trust and goodwill it engenders from its clients. In addition to providing excellent services, clients only do business with the Company if they are also treated with courtesy, patience and appropriate deference. The employee is to treat all clients with the utmost courtesy. The employee will be evaluated during the annual performance evaluation in this category.

Since clients tend to think in terms of the individual employees with whom they come in contact with at the Company, the way the employee performs their job and treat the individual client will determine, in part, the client's satisfaction with the Company. A good employee will approach their job duties and responsibilities with a positive attitude and respect. A neat personal appearance and good grooming habits reflect respect for the employee and their workplace.

Expensive clothing is not necessary for a well-groomed appearance. The employee is to wear clothing appropriate for a professional business office.

Dress Requirements

All Personnel on Gas sites including, Drivers, Safety, Sales and Management:

- Hard hats are WHITE with Allegheny Crane and AXIOM stickers ONLY
- Hard hats must have 3 blue high visibility strips – across top and one on each side, 2 inches up from brim
- Hard hats must have Name sticker on the front at brim level
- Blue Overalls or Fire Retardant (FR) shirt and pants
- Steel toed boots with pants tucked in
- All required Personal Protective Equipment

Shop Mechanics:

- Blue Overalls or FR shirt and pants
- Steel toed boots with pants tucked in
- All required PPE
- If a hat is worn, it should have our Company logo

Carpenters, Drivers, House keepers, Laborers, Maintenance personal, Setup crew members, Yard Personnel:

- Black and whites, or other company uniform
- Company shirt
- Work pants with No tears or holes
- Steel toed shoes when working with ACR or Commercial Construction
- Soft soled shoes are permitted when working in all other venues
- If a hat is worn, it should have our Company logo

Office Personnel:

- Business Casual dress wear, no jeans

Company Confidentiality

The rule of thumb to remember is that all information gathered by, retained or generated by the Company is confidential. There shall be no disclosure of any confidential information or trade secrets to anyone outside the Company without the appropriate authorization. Confidential information may include internal reports, policies, procedures and other internal business-related communications. Trade secrets may include information regarding the development of systems, processes, products, design, instrument, formulas and technology, in addition, always respect financial disclosure laws and third-party intellectual property.

It is the employee's duty and responsibility to safeguard all confidential information. This includes the dissemination of information by any available means, including but not limited to telephone, fax and e-mail.

When any inquiry is made regarding an employee or any former employee, the inquiry must be forwarded to their supervisor without comment. When any inquiry is made regarding any client, the inquiry must be forwarded to management.

Confidential information shall be disclosed and/or discussed only on a "need to know" basis. Conversation of a confidential nature must never be held within earshot of the public or clients.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. In addition, nothing in this policy is intended to infringe upon employee rights under Section Seven (7) of the National Labor Relations Act (NLRA).

Conflict of Interest

The Company is judged by the collective and individual performance of its management and employees. The Company has a particular interest in preserving its reputation and the reputation of its employees for the utmost honesty and integrity. Thus, the Company holds itself and its employees to the highest standards of lawful and ethical conduct.

Therefore, the employee must be very careful that the relationships with clients or vendors or other activities do not subject the employee or the Company to question or undue criticism. The employee must refrain from engaging in any activity that could be in conflict with status as a Company employee. This includes the use of

position with the Company for personal profit or advantage or entering into transactions or relationships where it may appear to have a conflict of interest, are improperly benefiting from affiliation with the Company, or are violating laws governing fiduciary relationships. Good judgment and common sense are to supplement these provisions to avoid even the appearance of impropriety. To the extent there is a conflict or ambiguity between permissive conduct and that which is not permitted, the latter shall have precedence.

If an employee questions the propriety of a transaction or activity, the employee should seek guidance from a supervisor or a member of management of the Company. If necessary, the employee should seek written approval.

Outside Activities

Full-time employees may engage in outside employment or personal educational activities during non-working hours, provided that such activities do not interfere with job performance or constitute a conflict of interest. Employees must not work, or participate, in outside activities or a position similar or equal to one held while an employee. If the position constitutes a conflict of interest or interferes with the Company job, at any time, the employee may be required to curtail or terminate such activity. If the Company is not properly notified, the employee can be terminated.

Reporting Irregularities

It is the responsibility of each employee of the Company to report, immediately, any and all irregularities indicating actual or suspected existence of a loss, fraud, embezzlement or similar impairment of Company funds or property, or suspicious persons or activity.

If actual or constructive knowledge of any irregularity is not reported to a supervisor, the employee has engaged in unacceptable job performance.

Inspections / Searches

Any items or parcels taken out of or off Company premises or property (or property controlled by the Company) are subject to inspection/search. Desk, workstation, work area, computer terminal, memory, files, etc. and voice mail are subject to inspection/search at any time. The Company may monitor any telephone conversation the employee may have on Company owned or controlled equipment, premises or property. While on Company owned or controlled premises or property, the employee's vehicle, meal containers, purse, etc., as well as the employee, are subject to inspection/search. Any inspection/search conducted by the Company or its designee may occur at any time, with or without notice.

The employee is prohibited from placing any passwords or restrictors on any document, computer or computer software without the prior authority of management. Any password or restrictor must be revealed to and maintained by a second authorized source. Removing, changing, deleting or erasing any Company information, without the appropriate authorization, is strictly prohibited.

Electronic Assets Usage

The Company recognizes that use of the Internet has many benefits for the Company and its employees. The Internet and e-mail make communication more efficient and effective. Therefore, employees are encouraged to use the Internet appropriately. Unacceptable usage of the Internet can place the Company and others at risk.

The following guidelines have been established for using the Internet and e-mail in an appropriate, ethical and professional manner:

- The Company Internet and e-mail access may not be used for transmitting, retrieving or storing of any communications of a defamatory, discriminatory or harassing nature or materials that are obscene or X-rated. No messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes or sexual preference shall be transmitted. Harassment of any kind is prohibited.
- Disparaging, abusive, profane, or offensive language; materials that would adversely or negatively reflect upon the Company or be contrary to the Company best interests; and any illegal activities – including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access to any computers on the Internet or e-mail – are forbidden.
- Copyrighted materials belonging to entities other than the Company may not be transmitted by employees on the company's network. All employees obtaining access to other companies' or individual's materials must respect all copyrights and may not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only. If an employee finds something on the Internet that may be interesting to others, do not copy it to a network drive. Instead, give the URL (uniform resource locator or "address") to the person who may be interested in the information and have that person look at it on his / her own.
- Do not use the system in a way that disrupts its use by others. This includes excessive dial-in usage, sending or receiving many large files and "spamming" (sending e-mail messages to thousands of users.)
- The Internet is full of useful programs that can be downloaded, but some of them may contain computer viruses that can extensively damage our computers. Be sure to virus-check downloaded files immediately. Instructions on how to check for viruses are available through the IT Support. Also, many browser add-on packages (called "plug-ins") are available to download. There is no guarantee that such will be compatible with other programs on the network and such may cause problems; therefore, please refrain from downloading such plug-ins.
- Each employee is responsible for the content of all text, audio or images that he/she places or sends over the company's Internet and e-mail system. No e-mail or other electronic communications may be sent which hides the identity of the sender or represents the sender as someone else. Also, be aware that the Company's name is attached to all messages so use discretion in formulating messages.
- E-mail is not guaranteed to be private or confidential. All electronic communications are Company property. Therefore, the Company reserves the right to examine, monitor and regulate e-mail messages, directories and files, as well as Internet usage. Also, the Internet is not secure so don't assume that others cannot read or possibly alter messages.
- Internal and external e-mail messages are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the Company.

All company-supplied technology, including computer systems and company-related work records, belong to the Company and not the employee. The Company routinely monitors usage patterns for its e-mail and Internet communications. Although encouraged to explore the resources available on the Internet, employees should use discretion in the sites that are accessed.

Since all the computer systems and software, as well as the e-mail and Internet connection, are company-owned, all company policies are in effect at all times. Any employee who abuses the privilege of company-

facilitated access to e-mail or the Internet, may be denied access to the Internet and, if appropriate, be subject to disciplinary action up to and including termination.

If an employee resists inspection, the employee may be denied access to Company premises.

Social Media

The Company recognizes that employees may have personal accounts on Facebook, Linked-In, Myspace, Twitter, Instagram, Web-based email accounts such as Gmail, Hotmail and Yahoo! mail and the like, and understands that employees may elect to review those accounts during work hours and utilizing the company's electronic assets of technology, computers and internet access in the limited manner described in this policy. To assist in making responsible decisions about use of social media, we have established these guidelines for the appropriate use of social media during non-working time.

Access to any of these personal accounts is not permitted during working time. Personal use of social media is allowed, but limited to breaks and meal periods only. Company electronic assets may not be used to access these accounts. Employees are expected to use their own electronic assets to access their personal social media accounts during their breaks and lunch periods. Employees in violation of this policy are subject to discipline, up to and including termination of employment.

The Company therefore notifies its employees that should employees fail to follow Company policy and elect to log onto or access personal social media from the Company's electronic assets of technology, computers or internet access, in addition to being subject to disciplinary action, such employees shall have no expectation of privacy as to any information that they input or review while in contact with social media, including passwords, codes or other information that is reviewed or that enables access to the social media. Moreover, by utilizing social media via the company's electronic assets of technology, computers or internet access, employees understand that they are providing the company with access to their social media and therefore agree that an employee's actions to access social media from the company's electronic assets of technology, computers or internet access constitutes the employee's understanding that the employee has no expectation in privacy in the social media and consents that the company may access the employee's social media at the company's discretion and the company may review materials that may be resident on the social media, including passwords, text messages, tweets, email communications, pdf's, and pictures that are sent to employees or reviewed by employees on the social media.

To the extent employees are posting comments to social media outside the scope of their employment responsibilities, including an on-line forum, such as a blog, employees may not include any client or company trade secret or confidential information. Trade secrets may include information regarding the development of systems, processes, products, design, instrument, formulas and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications. Respect financial disclosure laws and third party intellectual property.

Employees are not to make any statements that would give the impression that the views they have expressed are the opinions of the company. Express only personal opinions. The employee **should never** represent as a spokesperson for the Company. It is best to include a disclaimer such as "The postings on this site are my own and do not necessarily reflect the views of the Company."

Employees should refrain from posting derogatory information about the company on any such sites and proceed with any grievances or complaints through the normal channels. Employees should not post any statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening, harassing or intimidating, disparaging to customers, employees, vendors, clients or suppliers, or that might constitute harassment, discrimination, intimidation or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile

work environment on the basis of race, sex, mental or physical disability, age, religion or any other protected classification in accordance with state, federal or local laws or Company policy. Employees are to comply at all times with all Company policies and practices, including but not limited to; Social Media, Anti-Harassment; Confidentiality and Trade Secrets related to Company, client/patient, and customer information; Ethics; Electronic Assets, Workplace Violence and Conduct and Behavior.

Employees may not post to any on-line forums using any official company e-mail address or providing any company telephone number or extension. Do not create a link from blogs, websites or other social networking sites to a Company website without identifying as an employee of the Company.

If employees are unsure about whether a message/post may violate a law or Company policy, they should speak to a member of management prior to posting it. Nothing in this policy is intended to infringe upon employee rights under Section Seven (7) of the National Labor Relations Act (NLRA).

Phone Usage

The telephones of the Company are to be restricted to business calls for Company business. All employees are required to be professional and conscientious at all times when using company phones and to refrain from usage of personal cell phones including texting and downloading of web content unless subject to emergency situations and / or as authorized by a Supervisor.

Personal cell phones brought to work must be on silent or vibrate mode to avoid disruptions. They may only be used during breaks and meal periods, away from working areas. If usage interferes with operations, disciplinary action and or termination may be used.

CONDUCT AND BEHAVIORAL POLICY

The Company adopts this Employee Conduct and Behavioral Policy to ensure orderly and efficient operation. The Company expects employees and others who may from time to time be engaged to provide services, such as temporary personnel, consultants and independent contractors, to follow these rules of conduct while on company premises, attending company functions or otherwise performing work-related activity. Nothing herein is intended or shall be construed to change or replace, in any manner, the "at-will" employment relationship between the Company and the employee. The Company views the following as poor conduct and inappropriate behavior:

1. Negligence, carelessness or inconsiderate treatment of Company clients and / or their matters / files.
2. Theft, misappropriation, or unauthorized possession or use of property, documents, records or funds belonging to the Company, or any client or employee; removal of same from Company premises without authorization.
3. Divulging confidential information, of any kind, to any unauthorized person(s) or without an official need to know.
4. Obtaining unauthorized confidential information pertaining to clients or employees.
5. Changing or falsifying client records, Company records, personnel or pay records, including time sheets without authorization.
6. Willfully or carelessly damaging, defacing or mishandling property of a client, the Company or other employees.
7. Taking or giving bribes of any nature, or anything of value, as an inducement to obtain special treatment, to provide confidential information or to obtain a position. Acceptance of any gratuities or gifts must be reported to Management.
8. Entering Company premises without authorization.
9. Willfully or carelessly violating security, safety, or fire prevention equipment or regulations.
10. Unauthorized use of a personal vehicle for Company business.
11. Rude, discourteous, or un-business-like behavior; creating a disturbance on Company premises or creating discord with clients or fellow employees; use of abusive language.
12. Insubordination or refusing to follow instructions of the immediate supervisor or management; refusal or unwillingness to accept a job assignment or to perform job requirements.
13. Failure to observe scheduled work hours, failure to contact supervisor in the event of illness or any absence within thirty (30) minutes of the scheduled start of work; failure to report to work when scheduled; unauthorized or excessive use of sick leave or any other leave of absence.
14. Leaving the office during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
15. Sleeping or loitering during regular working hours.
16. Recording time for another employee or having time recorded to or by another employee.
17. Use or possession of intoxicating beverages or illegal use or possession of narcotics, marijuana, or drugs (under state, federal or local laws), on Company premises during working hours or reporting to work under the influence of intoxicants or drugs so as to interfere with job performance, or having any detectable amounts of drugs in the employee's system.
18. Unauthorized possession of a weapon on Company premises.
19. Gambling on Company premises.
20. Soliciting, collecting money, vending, and posting or distributing bills or pamphlets on Company property. These activities are closely controlled in order to prevent disruption of Company services and to avoid unauthorized implication of Company sponsorship or approval. However, this general rule is not intended to hinder or in any way curtail the rights of free speech or free expression of ideas. Therefore, such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the orderly and regular

conduct of the Company business, is lawful, in good taste, conducted in an orderly manner, and does not create safety hazards or violate general good housekeeping practices. Any person who is not an employee of the Company is prohibited from any and all forms of solicitation, collecting money, vending, and posting or distributing bills or pamphlets on Company property at all times.

21. Falsification of one's employment application, medical or employment history.
22. Illegal or un-business-like conduct, on or off Company premises, which adversely affects the Company services, property, reputation or goodwill in the community, or interferes with work.

Religion & Politics

The Company is respectful of all employees' religious affiliations and political views. We ask that if the employee chooses to participate in a political action, the employee does not associate the Company in any way.

We are happy to work with employees to accommodate political and religious obligations, provided accommodations are requested from a manager in advance.

Positive Work Atmosphere

Maintain positive work atmosphere by working in a cooperative manner. All colleagues, customers, and vendors should be treated with respect, fairness, and dignity. Maliciously motivated criticism, bullying or harassment of management will not be tolerated. Inappropriate, intimidating, or discriminating conduct towards management, coworkers, customers, or vendors will not be tolerated and may result in disciplinary action appropriate to the offence.

COMPLAINT PROCEDURE POLICY

The Company subscribes to the open door policy. An employee may bring a particular complaint to their supervisor for resolution. When matters cannot be handled on an informal basis, the Company has established a formal procedure for a fair review of any work related controversy, dispute or misunderstanding. A complaint may be brought by one or more employees concerning any work-related problem where the complaint has not been satisfactorily resolved in an informal manner.

Step 1

The complaint must be submitted in writing to management or designee within three (3) working days of the incident. A written request for a meeting must be submitted simultaneously. Generally, a meeting will be held within three (3) working days of the employee's request depending upon scheduling availability. Witnesses will be allowed as necessary. If the problem is not resolved during this meeting management or designee will give the employee a written resolution within three (3) working days. If the employee is not satisfied, the employee may proceed to Step 2.

Step 2

If the employee is not satisfied after Step 1, the employee may submit a written request for review of the complaint and Step 2 solution to the President or his/her designee. Such a request must be made within three (3) working days following the receipt of the Step 1 resolution. The President or appointed representative will review the complaint and proposed solution and may call a further meeting to explore the problem. This meeting is to be attended by the employee concerned, the employee's immediate supervisor, and any other employee of the Company whom the aggrieved employee chooses. The President or appointed representative will render the final decision within ten (10) working days after receiving the Step 2 request, assuming scheduling availability. The decision will be given to the employee in writing and will become part of the employee's personnel file.

ANTI-HARASSMENT POLICY

Harassment is a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA).

Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. Anti-discrimination laws also prohibit harassment against individuals in retaliation for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or lawsuit under these laws; or opposing employment practices that they reasonably believe discriminate against individuals, in violation of these laws.

Petty slights, annoyances, and isolated incidents (unless extremely serious) will not rise to the level of illegality. To be unlawful, the conduct must create a work environment that would be intimidating, hostile, or offensive to reasonable people.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets or name calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work performance. Harassment can occur in a variety of circumstances, including, but not limited to, the following:

- The harasser can be the victim's supervisor, a supervisor in another area, an agent of the employer, a co-worker, or a non-employee.
- The victim does not have to be the person harassed, but can be anyone affected by the offensive conduct.
- Unlawful harassment may occur without economic injury to, or discharge of, the victim.

Prevention is the best tool to eliminate harassment in the workplace. Employers are encouraged to take appropriate steps to prevent and correct unlawful harassment. They should clearly communicate to employees that unwelcome harassing conduct will not be tolerated. They can do this by establishing an effective complaint or grievance process, providing anti-harassment training to their managers and employees, and taking immediate and appropriate action when an employee complains. Employers should strive to create an environment in which employees feel free to raise concerns and are confident that those concerns will be addressed.

Employees are encouraged to inform the harasser directly that the conduct is unwelcome and must stop. Employees should also report harassment to management at an early stage to prevent its escalation.

Sexual harassment is a form of sex discrimination, which includes gender-based harassment of a person of the same sex as the harasser. It is the express policy of the Company that sexual harassment of employees or an applicant, by an employee or agents of the Company, is unacceptable and will not be tolerated. Unwelcome or unwanted sexual advances, requests for favors or other visual, verbal or physical conduct will be deemed sexual harassment when:

1. Submission to such conduct is explicitly or implicitly a condition of employment;
2. Submission to or rejection of such conduct is used as the basis of employment decisions;
3. Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination. The Company further recognizes that allegations of this type of discrimination may have serious effects on innocent women and men. Therefore, the Company has devised two procedures to process a sexual harassment complaint. First, the normal complaint procedure as set

forth herein may be utilized. Second, if the employee desires confidentiality, the following procedure may be requested:

1. Any employee who believes he or she has been the subject of harassment should report the alleged act(s) promptly (within two (2) working days) to a member of management or designee, giving details as related to the complaint.
2. Management or designee, upon receipt of the complaint, shall take immediate and appropriate steps to investigate the complaint. Confidentiality is mandatory to the maximum extent possible.
3. Following the investigation of the complaint, management or designee shall weigh the facts and determine the validity of the charge. If the complaint is determined to be valid, the offender(s) shall face immediate and appropriate disciplinary action based upon the severity of the charge. This may include written warning and / or suspension, and / or discharge. If the offender is a supervisor, he / she may be demoted. If the complaint is found invalid, the complaining party may request Step 2 of the normal complaint procedure.

Employer Liability for Harassment

The employer is automatically liable for harassment by a supervisor that results in a negative employment action such as termination, failure to promote or hire, and loss of wages. If the supervisor's harassment results in a hostile work environment, the employer can avoid liability only if it can prove that: 1) it reasonably tried to prevent and promptly correct the harassing behavior; and 2) the employee unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer.

The employer will be liable for harassment by non-supervisory employees or non-employees over whom it has control (e.g., independent contractors or customers on the premises), if it knew, or should have known about the harassment and failed to take prompt and appropriate corrective action.

When investigating allegations of harassment, the EEOC looks at the entire record: including the nature of the conduct, and the context in which the alleged incidents occurred. A determination of whether harassment is severe or pervasive enough to be illegal is made on a case-by-case basis.

Anti-Bullying

In addition to the Company's anti-harassment policy, the Company believes it necessary to delineate a policy regarding workplace bullying, as such bullying has numerous negative effects on both individual employees and the Company as a whole. Workplace bullying may cause the loss of trained and talented employees, reduce productivity and morale, and create legal risks. The Company believes all employees should be able to work in an environment free of bullying.

Workplace bullying refers to repeated, unreasonable actions of individuals (or a group) directed towards an employee (or a group of employees), which are intended to intimidate, degrade, humiliate, or undermine; or which create a risk to the health or safety of the employee(s). Some examples of workplace bullying include repeated acts such as:

- Unwarranted or invalid criticism
- Blame without factual justification
- Being treated differently than the rest of the employee's work group
- Being the target of cussing or disrespectful language
- Exclusion or social isolation
- Being the target of shouting or other behavior intended to humiliate the employee

- Excessive “prank” jokes or teasing of an employee

The Company considers workplace bullying unacceptable, and will not tolerate it under any circumstances. Managers and supervisors assume the responsibility to ensure employees are not bullied. Any employee who bullies a co-worker will be subject to disciplinary action, up to and including termination of employment.

The Company encourages all employees to report workplace bullying to a member of management with whom the employee is comfortable speaking, or directly to the Owner/President of the Company. All complaints of workplace bullying will be treated seriously and investigated promptly. In the investigation process, the Company will attempt to maintain confidentiality to the extent possible.

It is a violation of company policy to retaliate or otherwise victimize an employee who makes a complaint or a witness who serves in the investigation of the workplace bullying allegation.

CORRECTIVE AND DISCIPLINARY ACTION POLICY

Disciplinary action can consist of verbal /written warnings, counseling, demotion, transfer, suspension and/or termination. The Company will handle each matter individually to ensure fairness to all involved.

A high level of job performance is expected of every employee. In the event that an employee's job performance does not meet the standards established for their position, the employee should seek assistance from a supervisor to attain an acceptable level of performance. If the employee fails to respond to or fails to make positive efforts toward improvement, corrective action may ensue, including termination of employment.

It is the policy of the Company to regard discipline as an instrument for developing total job performance rather than as punishment. Corrective action is one tool the Company may select to enhance job performance. The Company is not required to take any disciplinary action before making an adverse employment decision, including discharge. Corrective action may be in the form of a written or oral reprimand, notice(s) of inadequate job performance, suspension, discharge or in any combination of the above, if the Company so elects. The Company reserves its prerogative to discipline, and the manner and form of discipline, at its sole discretion.

If an employee violates established Company procedures, guidelines, or exhibit behavior that violates commonly accepted standards of honesty and integrity or creates an appearance of impropriety, the Company may elect to administer disciplinary action.

Examples where disciplinary action may be used:

- Excessive lateness and/or absence
- Improper or indecent conduct
- Poor communication
- Uncooperative attitude
- Abuse, perfunctory or unauthorized use, or unauthorized possession of Company property
- Possession and/or use of illegal drugs, weapons or explosives
- Illegal harassment and/or discrimination
- Violation of Company policy

See Appendix: Forms for:

- Corrective and Disciplinary Form*
- Employment Suspension Form*

ACCIDENT AND SAFETY

In the event an employee becomes injured or witness an injury during work hours, the employee is to report it immediately to the nearest available management personnel. The employee is to render any assistance requested by management. Any questions asked by law enforcement or fire officials making an investigative report should be answered giving only factual information and avoiding speculation. Liability for personal injury or property damage should never be admitted in answering an investigatory question asked by law enforcement or fire officials. The employee should report all nonfunctioning hazardous equipment to their immediate supervisor.

All employees are required to comply with safety standards. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health of safety of the other individuals in the workplace will be placed on appropriate leave until a management decision has been made in regard to the employee's immediate employment situation.

See Appendix: Forms for:

- *Accident Investigation Form*

Occupational Safety and Health Act (OSHA)

Requires work places to be free of recognized hazards.

See Safety & Health Manual

Workers' Compensation

The Company provides insurance for all work-related injuries or illness. The name of the Company's workers' compensation insurance carrier and other pertinent information is posted. The carrier governs all insurance benefits provided by the Company. These contracts shall not be limited, expanded or modified by any statements of Company personnel or Company documents. Any discrepancies shall be determined by reference to the insuring contracts.

Employees must immediately report any accident or injury to their supervisor and the human resources department so that the necessary paperwork may be completed.

Automobile Accident

If an employee is involved in an automobile accident while on Company business (personal or Company car) they must report the accident to their supervisor immediately. The employee should request and obtain a police report and police investigation at the scene of the accident.

Use of Personal Vehicle for Company Business

The employee is not to drive a personal vehicle for Company business unless authorized to do so. In this case, the employee is required to submit proof of a current and valid state driver's license and the cover page of the insurance policy covering the vehicle. Insurance must be maintained current as a term and condition of continuing employment for that particular position.

Injuries and Illness

For all non-emergency injuries and illnesses our local Occupational Health and Medical Facility will be:

Concentra Medical Center, located at 4390 Campbells Run Rd, Pittsburgh, PA 15205 (412) 429-9675. Hours of Operations are Monday through Friday 8am - 5pm.

Reporting of Injuries

All injuries are to be reported to the HSE Manager immediately and an accident investigation will be conducted. The HSE Manager will then contact the Office and all Upper Management with the accident/incident information.

In the event that an incident occur after hours and/or on a weekend, unless it is a life threatening event, the employee(s) will contact the HSE Manager immediately and he will determine what is the best location to take an employee(s) for treatment (i.e. Emergency Room, Stat Care, Family Doctor, etc.)

In the event of an injured employee(s), the HSE Manager or a site assigned medical personnel will escort the injured employee(s) to the Occupational Health and Medical Facility or other designated location. All non-emergency injuries will be treated at the Occupational Health and Medical Facility unless a need is determined otherwise.

Employee(s) Follow-Up

The employee's HSE Manager is responsible for follow-up and contact with injured employee(s) to help monitor and manage the injury process. This includes First Aid, OSHA recordable, restricted work, days away from work, and fatalities.

Modified duty work is available for all job positions. It is intent to keep an employee engaged in the early return to work process. The HSE Manager will assist in communicating the job duties of the injured employee to the doctor, and verify in writing that we have modified duty available. The HSE Manager will maintain close communication with our Occupational Health Clinic and Medical Facility and require that they communicate the status of the employee in writing.

The HSE Manager is responsible for keeping in touch with the injured employee(s) and the medical clinics weekly, to manage the status and the condition of the injured employee(s). All accident/incidents will be discussed weekly at the management level meeting and monthly at the safety meetings with all of the employees to ensure safety among all employees. Pending the investigate of the accident it will be determined if there is a need for a corrective action plan to be created and put into place, if this is the case it will be discussed with the appropriate individuals, and the necessary corrective action plan and procedures will be developed and implemented.

The information captured will be placed in the employees file and remain confidential.

Driver Safety and Vehicle Use

Drivers are responsible for operating company vehicles according to the policy described below. When drivers cannot comply with safe driver behaviors, actions will be taken to improve driving behavior. Ultimately, Managers are responsible for ensuring drivers are being counseled and policy/actions are being administered in a compliant and timely manner.

The Company will monitor an employee's Driver Scorecard on a weekly and monthly basis using the following information:

- Total Miles Driven- this is a record of the total miles driven which helps to understand the overall exposure to risk. Vehicles that have less than one mile driven for the week are excluded from the events/100 miles calculations.
- Seatbelt Use (5 points per occurrence): The Company has goals of 100% seatbelt use while driving. The report totals the number of times a driver drives greater than 5 mph with the seatbelt off as well as the total percentage of drive time that the driver uses his seatbelt.
- Speeding (3 points per occurrence): The scorecard will record incidences where the vehicle is traveling faster than 5 mph above posted road speed at highway speeds.
- Harsh Driving (1 point per occurrence): Monitors the G-forces exerted on the asset based on the way the driver drives the asset. Taking off from a stop with a heavy throttle can create excess G-forces at the start of a trip, stepping on the brakes hard and stopping abruptly can trigger a harsh brake event. Turning while the vehicle is travelling at a rate of speed can trigger excess G-forces during turns.
- Unauthorized Use (no point factor): Identified as vehicle usage outside the scope of the vehicle agreement, will be subject to disciplinary action up to and including termination.

Action

Level 1 (single month):

- Low Risk (GREEN): Driver has score of less than 10 points. No action required.
- Medium Risk (YELLOW): Driver has score equal to between 10 and 20 points. No action required.
- High Risk (RED): Driver has score greater than 20 points. Action below required.
 - Manager places the driver on written warning, documenting and communicating the improvements that must be made in the next 30 days to avoid level 2 final written warning

Level 2 (two month rolling point totals):

- Level 2 High Risk (RED) – Driver has a point level above 20 points for two consecutive months. Action below required.
 - Manager will meet with driver to document and communicate the following items:
- All Drivers without Personal Use: Administer a final written warning and have drivers sign the form to allow for payroll deduction of the Vehicle Use Charge for one month (and until such time their monthly risk score is below 20 points)
- Drivers with personal use (Exempt): Administer a final written warning and inform the driver of the penalty of an additional \$25 added to their Personal Use Charge (goes from \$125 - \$150) until such time their monthly risk score is below 20 points for one full month
- Exempt drivers that score in the low risk category for 2 consecutive months (a monthly aggregated score of <10 points) will be reduced to a Personal Use Charge of \$100/month

ZERO TOLERANCE-TOBACCO POLICY

Smoking, vaping or tobacco use of any type is not permitted in any company buildings, facilities, work sites, or vehicles. Employees wishing to smoke should do so during their break times, outside company buildings and off of company property and in accordance with local ordinances.

For the health and well-being of all, we will not tolerate any smoking, tobacco use, or vaping on premises or on job sites. All employees are requested to discontinue smoking. No smoking on company property or job site will be tolerated.

This policy establishes the rules and regulations concerning smoking on property controlled by the Company, and in facilities and vehicles owned or controlled by the Company. This policy ensures compliance with the Pennsylvania Executive Order 41.

This policy applies to all employees, contractors, visitors, and all other individuals while they are on company time, in company property, or representing Allegheny Crane Rental to the public.

Effective September 11, 2008, after being signed into law by Governor Ed Rendell on June 13, 2008, Pennsylvania's 1988 Clean Indoor Air Act was amended to ban smoking statewide in all restaurants and other workplaces in Pennsylvania.

Effective April 9, 2020 due to the pandemic of COVID-19 the company has moved to a zero tolerance policy towards smoking, tobacco use, and vaping. The goal is to help prevent the spread of COVID-19 and any other future pandemic issues. If you need to smoke, chew, or vape, please leave the property site and make sure you are keeping at least 20 ft. distance from the premises and other employees to avoid the possibility of contamination. Smoking and vaping turns the COVID-19 into an air particle that can now travel a distance before it will die, which allows a higher possibility of contamination to others. Chewing and spitting allows the COVID-19 to spread via shoes to other people, so no chewing or spitting is allowed near company premises or in or around company vehicles.

Definitions

Smoking: The carrying or holding of any lighted pipe, cigar, vape or cigarette of any kind, or any other lighted smoking equipment, or device; or the lighting, inhaling, or exhaling of smoke from a pipe, cigar, cigarette, vaping or any other smoking equipment or device of any kind.

This policy applies to all employees, contractors, visitors, and all other individuals while they are on company time, in company property, or representing Allegheny Crane Rental to the public.

Policy

Smoking, vaping, or chewing is **not** permitted within buildings, facilities, structures, or vehicles owned, leased or rented by the company, including parking garages, covered walkways, temporary enclosed structures, trailers, and tents as well as structures placed on state-owned property by contractors or vendors. This includes individual offices. Smoking, vaping, or chewing is not permitted on company grounds or in company property.

Responsibilities

It is the responsibility of all employees to observe the tobacco policy, and inform others who may be in offense.

Sanctions

Regarding employees, sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment and financial burdens. Violations will be considered in an employee's performance evaluation.

Interpretation

The authority to interpret this policy rests with the president and any on-site directors.

DRUG AND ALCOHOL POLICY

It is the policy of Allegheny Crane Rental, KP Construction and The George Washington Hotel (herein referred to as the "Company") that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on the Company's premises, engaged in Company business, operating Company equipment, or while under the authority of the Company is strictly prohibited.

The Company further maintains a policy that the unauthorized use, sale, purchase, transfer, possession, or presence in one's system of alcohol or any other intoxicating agent by any employee while on the Company's premises, engaged in Company business, operating Company equipment, or while under the authority of the Company is strictly prohibited.

There are many reasons why we have implemented a drug and alcohol testing program, they include but are not limited to:

- Deter employees from abusing alcohol and drugs
- Prevent hiring individuals who use illegal drugs
- Be able to identify early and appropriately refer employees who have drug and/or alcohol problems
- Provide a safe workplace for employees
- Protect the general public and instill consumer confidence that employees are working safely
- Benefit from Workers' Compensation Premium and Group Discount programs
- Comply with State, Federal and Local laws and regulations

Aspects of the Company's operations are subject to regulation by various federal, state and local agencies, therefore certain Company employees are subject to the terms and conditions of this Drug and Alcohol Policy, the terms and conditions of which are hereby incorporated within the Allegheny Crane Rent). The serious impact of drug use and alcohol abuse has been recognized by the federal government. Consequently, the Federal Motor Carrier Safety Administration (FMSCA) has issued regulations which require the Company to enhance its alcohol and controlled substance program.

It is the Company's intent that the policies and procedures in this Drug and Alcohol Policy be consistent with provisions contained in the Allegheny Crane Rental. In the unlikely event that the terms of this Drug and Alcohol Policy conflict with any provision contained in the Employee Handbook, the terms and conditions of this Drug and Alcohol Policy shall control. Violation of any provision contained in this Drug and Alcohol Policy shall be deemed a violation of the Company's overall drug and alcohol policy and will result in disciplinary action, up to and including termination.

NEITHER THIS POLICY NOR ANY OF ITS TERMS ARE INTENDED TO CREATE A CONTRACT OF EMPLOYMENT OR CONTAIN THE TERMS OF ANY CONTRACT OF EMPLOYMENT. THE COMPANY RETAINS THE SOLE RIGHT TO CHANGE, AMEND, OR MODIFY ANY TERM OR PROVISION OF THIS POLICY WITH OR WITHOUT NOTICE.

PLEASE BE ADVISED THAT THE FEDERAL MOTOR CARRIER SAFETY REGULATIONS ("FMCSR") SET THE MINIMUM REQUIREMENTS FOR TESTING OF SAFETY SENSITIVE EMPLOYEES. THE COMPANY'S POLICY IN CERTAIN INSTANCES MAY BE MORE OR LESS STRINGENT FOR OTHER EMPLOYEES.

For More Information About DOT Requirements or Our Company Policy

Contact the Company's Safety Person at 412-807-8972. As of the date of issuance of this D&A Policy, the Company's Safety Person is Susan Ritchey. This person also serves as the Company's role of Designated Employer Representative (DER).

This policy is effective as of the date of hire.

See Appendix: Forms for:

- Drug Test Form

Confidentiality / Recordkeeping

All employee drug and alcohol test records are considered confidential. For the purpose of this policy/procedure, confidential recordkeeping is defined as records maintained in a secure manner, under lock and key, accessible only to designated employees.

Employee alcohol and controlled substance test records will only be released in the following situations:

- To the active employee, upon their request;
- Upon written consent by the employee authorizing the release to a specified individual;
- Upon request of a DOT agency with regulatory authority over the Company;
- Upon request of state or local officials with regulatory authority over the Company;
- Upon request of the United States Secretary of Transportation;
- Upon request by the National Transportation Safety Board (NTSB) as part of an accident investigation;
- In a lawsuit, grievance, or other proceeding when legally applicable;
- Upon request by subsequent employers upon receipt of a written request by an employee;
- To the DOT recognized National Drug & Alcohol Clearinghouse for truck and bus drivers (Pending)

Drug & Alcohol Prohibitions

Employees are strictly prohibited from engaging in the following activities:

Drug Prohibitions

- Use of any controlled substance, except when administered by, or under the instructions of, a licensed medical practitioner, who has advised the employee that the substance will not affect the employee's ability to perform a safety-sensitive function. Be advised that the use of marijuana for medicinal purposes is not a legitimate explanation. Under federal law, the use of marijuana does not have a legitimate medical use in the United States.
- Sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee while on the Company's premises, engaged in Company business, operating Company equipment, or while under the authority of the Company.
- Testing positive for a controlled substance (except medically prescribed drugs).
- Refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up drug test.
- These are the drugs that will be tested for. All Testing conducted according to SAMHSA's guidelines checks for a Five-Panel illicit drugs plus, alcohol (ethanol, ethyl alcohol, booze). These five illicit drugs are:
 - Amphetamines (meth, speed, crank, ecstasy)
 - THC (cannabinoids, marijuana, hash)
 - Cocaine (coke, crack)
 - Opiates (heroin, opium, codeine, morphine)
 - Phencyclidine (PCP, angel dust)

However the company is not limited in the number of substances they can test for and may include drugs that individuals legitimately and/or therapeutically take based on a physician's prescription. Although most private employers can test for any combination of drugs, there are commonly selected "panels."

The typical **8-Panel Test** includes the above-mentioned substances plus:

- Barbiturates (phenobarbital, butalbital, secobarbital, downers)
- Benzodiazepines (tranquilizers like Valium, Librium, Xanax)
- Methaqualone (Quaaludes)

The typical **10-Panel Test** includes the 8-Panel Test plus:

- Methadone (often used to treat heroin addiction)
- Propoxyphene (Darvon compounds)

Testing can also be done for:

- Hallucinogens (LSD, mushrooms, mescaline, peyote)
- Inhalants (paint, glue, hairspray)
- Anabolic steroids (synthesized, muscle-building hormones)
- Hydrocodone (prescription medication known as Lortab, Vicodin, Oxycodone)
- MDMA (commonly known as Ecstasy)

Alcohol Prohibitions

- Reporting for duty or remaining on duty in a position requiring the performance of safety-sensitive functions while having an alcohol concentration of **.04** or greater.
- Consumption of alcohol in any form while performing safety-sensitive functions.
- Performance of any safety-sensitive function within 4 hours after consuming alcohol.
- Refusal to take a required alcohol test.
- Consumption of alcohol for 8 hours after an accident unless the employee has been given a post-accident test. This applies to employees with knowledge of an accident involving a commercial motor vehicle operating on a public road in commerce for which they performed a safety-sensitive function at or near the time of the accident.
- Refusal to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol test.

Definitions

- Alcohol is defined as the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol.
- Alcohol use is defined as the consumption of any beverage, mixture, or preparation, including any medication (prescribed or over-the-counter, intentional or unintentional), containing alcohol.
- Covered Employee shall include all active employees of Allegheny Crane Rental, KP Construction and The George Washington Hotel who are subject to the terms and conditions of this Supplemental Drug and Alcohol Policy. Acknowledgement of Receipt of this Drug and Alcohol Policy shall be indication that the employee is subject to the policy.
- Safety-Sensitive Functions shall include: (1) all time spent at a distributor warehouse, other property, or on any public property, waiting to be dispatched, unless the employee has been relieved from duty by his or her supervisor; (2) all time spent inspecting, servicing, or conditioning any motor vehicle or crane at any time; (3) all time spent at the driving controls of a motor vehicle or crane in operation; (4) all time, other than driving time, in or upon any motor vehicle or crane; (5) all time loading or unloading a

vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle or crane, or in giving or receiving receipts for shipments loaded or unloaded; and (6) all time fueling, repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle or crane.

- **General Applicability:** A employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any and all functions described or related to these described here.

Types of Drug & Alcohol Testing

Employees may be subject to each of the following types of drug and alcohol tests:

Pre-Employment (drug only)

Employees shall be subject to a drug test prior to employment. No employee shall be permitted to perform any safety-sensitive function, including the driving of any company vehicle, until they have received a negative drug test result.

Post-Accident

In the event of an accident involving a commercial motor vehicle operating on a public road in commerce, the involved employee shall be subject to a drug and alcohol test in the following circumstances:

- If the accident involved the loss of human life;
- If the employee receives a citation for a moving traffic violation arising from the accident, and the accident involves either:
 - Bodily injury to any person who immediately receives medical treatment away from the scene of the accident; or
 - One or more motor vehicles incurring disabling damage requiring the motor vehicle to be transported away from the scene by tow.

Random

Employees shall be subject to random drug and alcohol testing. Random testing will be conducted without notice to randomly selected employees. Employees may be grouped into drug and alcohol testing pools based on job function, safety sensitive drivers must be in a separate pool and could include. All employees within each pool have an equal chance of testing.

Reasonable Suspicion

Employees shall be subject to reasonable suspicion drug and alcohol testing if a trained supervisor or trained company official believes or suspects that the employee is under the influence of drugs or alcohol (or both).

Return-to-Duty & Follow-Up

Employees retained by the Company after a positive test result or a test refusal shall be subject to return-to-duty drug and alcohol testing. No employee shall be permitted to perform any safety-sensitive function until they have received a verified negative drug and alcohol test result. Thereafter, such employees will be subject to certain follow-up drug and alcohol testing as established by Substance Abuse Professional (SAP).

DOT Drug & Alcohol Consequences

Consequences of Using Drugs or Alcohol While Performing Safety-Sensitive Functions

A covered employee who has engaged in prohibited drug or alcohol use during the performance of a safety-sensitive function will be immediately removed from performing safety-sensitive functions. Further, the employee will be subject to disciplinary action, up to and including termination.

Consequences of a Verified Positive Drug Test

A covered employee who receives one (1) verified positive drug test result on a DOT required test will be immediately removed from safety-sensitive duties. An employee who has a positive DOT drug test cannot return to the performance of safety-sensitive functions until and unless the employee successfully completes the return-to-duty process described later. Notwithstanding the foregoing, an employee that receives one (1) verified positive drug test result will be subject to disciplinary action, up to and including termination.

Consequences of a Alcohol Test with a Concentration Greater than .04

A covered employee who receives one (1) alcohol test with a result indicating an alcohol concentration of .04 or greater will be immediately removed from safety-sensitive duties. An employee who has a positive alcohol test cannot return to the performance of safety-sensitive functions until and unless the employee successfully completes the return-to-duty process described later. Notwithstanding the foregoing, an employee whose test results indicate an alcohol concentration greater than .04 will be subject to disciplinary action, up to and including termination.

Consequences of an Alcohol Test with a Concentration Greater than .02 but Less than .04

A covered employee who is found to have an alcohol concentration of .02 or greater but less than .04 will be immediately removed from performing safety-sensitive functions until the employee is retested with a result below .02 or until the start of the employee's next regularly scheduled duty period, if it occurs at least 8 hours following administration of the test. Notwithstanding the foregoing, an employee whose test results indicate an alcohol concentration greater than .02 will be subject to disciplinary action, up to and including termination.

Consequences of Refusing to Submit to a Required Drug and/or Alcohol Test

A covered employee who refuses to submit to a required drug and/or alcohol test or who receives a verified adulterated or substituted drug test result will be immediately removed from performing safety-sensitive functions. An employee cannot return to the performance of safety-sensitive duties until and unless the employee successfully completes the return-to-duty process described later. Notwithstanding the foregoing, an employee that refuses to submit to a required drug and/or alcohol test will be subject to disciplinary action, up to and including termination.

Refusal to Submit to a Drug and/or Alcohol Test

You are considered to have refused to take a drug and/or alcohol test if you:

Drug Test

- Fail to appear at a collection site for any test (except a pre-employment test) within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company. This includes the failure of the employee to appear for a test when called by the Company's third party administrator;
- Fail to remain at the collection site until the testing process is complete; Provided that a person who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;

- Fail to provide a specimen;
- Fail to permit a monitored or observed collection if the Company ordered or if the collector required the collection to be monitored or observed;
- Fail to provide a sufficient amount of urine specimen, provided the Medical Review Officer (MRO) finds there was no medical reason for the employee to provide insufficient amount of urine;
- Fail or decline to take an additional drug test that the Company or collector has directed;
- Fail to undergo a medical examination or evaluation the MRO or the Company has directed;
- Fail to cooperate with any part of the specimen collection process;
- Fail, for an observed collection, to follow the instructions to raise and lower clothing and turn around;
- Possess or wear a prosthetic or other device that could be used to interfere with the collection process if the employee is found to have or wear a prosthetic or other device designed to carry clean urine or a urine substitute;
- Admit to the collector to having adulterated or substituted the specimen;
- Adulterate or substitute a urine specimen; or
- Admit to the MRO to having adulterated or substituted the specimen.

Alcohol Test

- Fail to appear at an alcohol test site for any test within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company. This includes the failure of the employee to appear for a test when called by the Company's third party administrator;
- Fail to remain at the alcohol test site until the testing process is complete;
- Fail to provide an adequate amount of saliva or breath;
- Fail to provide a sufficient breath specimen, provided the physician finds that there was no medical reason for the employee to provide an insufficient amount of breath;
- Fail to undergo a medical examination or evaluation as the Company has directed as part of the insufficient breath procedures;
- Fail to sign the certification statement at Step 2 of the Alcohol Testing Form (ATF); or
- Fail to cooperate with any part of the testing process.

Drug & Alcohol Testing Procedures

Drug and/or alcohol testing shall be conducted at a facility designated by the Company. Specimen collection, analysis and reporting shall be conducted in accordance with the procedures outlined below which are consistent with the federal regulations enumerated in 49 CFR Part 40 and all applicable guidance and state laws. These collection procedures are designed to protect the employee and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct employee.

Drug Testing Procedures

- A DOT drug testing Chain of Custody Form (CCF) will be used to document the chain of custody from the time the specimen is collected at the testing facility until it is tested at the laboratory.
- A collection kit meeting the requirements of Part 40, Appendix A of the DOT regulations must be used for the drug test.
- The collection of the specimen must be conducted in a suitable location and must contain all necessary personnel, materials, equipment, facilities, and supervision to provide for collection, security and temporary storage and transportation of the specimen to a certified laboratory.
- The employee should have and present positive identification to the collector. The employee may also request positive identification of the collection site employee.

- The employee must provide a specimen meeting the specified volume and temperature requirements.
- All identifying information must be entered on the CCF by the collection site person. The CCF will be signed by the collector, certifying collection was accomplished in accordance with the instructions provided. The employee must also sign the CCF indicating the specimen was his/hers.
- A urinalysis will be performed by a laboratory certified by the Department of Health and Human Services (DHHS) that has been retained by the Company. The laboratory will be required to maintain strict compliance with federally-approved chain-of-custody procedures, quality control, maintenance, and scientific analytical methodologies.
- The laboratory must report all test results directly to the Company's designated medical review officer (MRO). The MRO is responsible for reviewing and interpreting all confirmed positive, adulterated, substituted, or invalid drug test results. The MRO must determine whether alternative medical explanations could account for the test results. The MRO must also give the employee who has a positive, adulterated, substituted, or invalid drug test an opportunity to discuss the results prior to making a final determination. After the decision is made, the MRO must notify the Company's designated employer representative (DER).
- A employee who receives a positive, adulterated, or substituted drug test result has 72 hours to request the test of the split specimen (which is provided at the time of original collection). If the employee requests the testing of the split, the MRO must direct (in writing) the lab to provide the split specimen to another certified laboratory for analysis. The employee will pay for the testing of the split specimen.

Alcohol Testing Procedures

Alcohol testing may be conducted by a qualified Screening Test Technician (STT) or Breath Alcohol Technician (BAT). STTs are only permitted to conduct the first test given to an employee by using either a breath or saliva test (Screening Test). A BAT is authorized to conduct a Screening Test, but, unlike a STT, is also authorized to conduct the second test given to an employee whose test result is **.02** or above (Confirmation Test). For a Screening Test, the STT or BAT may use an approved Alcohol Screening Device (ASD) or an Evidential Breath Testing device (EBT). For a Confirmation Test, the BAT is required to use an EBT.

Screening Tests

- The DOT Alcohol Testing Form (ATF) will be used to document the results of an alcohol screening test.
- The testing will be performed in a private setting. Only authorized personnel will have access and are the only individuals who can see or hear the test results.
- The employee should have and present positive identification to the STT or BAT at the test site. The employee may also request positive identification of the STT or BAT.
- When an ASD is used, the STT or BAT must check the device's expiration date and show it to the employee. A device may not be used after its expiration date.
- The STT or BAT will open an individually wrapped or sealed package containing the device in front of the employee and he/she will be asked to place the device in his/her mouth and use it in the manner described by the device's manufacturer.
- The employee must work with the STT or BAT to perform the test, which includes the insertion of the device mouth piece in the employee's mouth and the exhalation (breathing out) must be performed in the manner described by the device's manufacturer.
- The STT or BAT should wear single-use examination gloves and must change the gloves following each test.
- When the device is removed from the employee's mouth, the STT or BAT must follow the manufacturer's instructions to ensure the device is activated.
- If the procedures listed above cannot be successfully completed, the device must be discarded and a new test must be conducted using a new device. The employee will be offered the choice of using the new device or having the STT or BAT use the new device for the test.

- If the new test cannot be successfully completed, the employee will be directed to immediately take a screening test using an EBT.
- When an EBT is used, the mouthpiece of the breath testing device must be sealed before use and opened in the employee's presence. The mouthpiece is then inserted into the breath testing device.
- The employee must blow forcefully into the mouthpiece of the testing device for at least 6 seconds or until an adequate amount of breath has been obtained.
- Once the test is completed, the BAT must show the employee the results.
- The result displayed on the device must be read within 15 minutes of the test. The STT or BAT must show the employee the device and its reading and enter the result on the ATF.
- If the reading on the ASD or EBT is less than .02, both the employee and the STT or BAT must sign and date the result form. The form will then be confidentially forwarded to the Company's DER. No further testing is authorized.
- If the reading on the ASD or EBT is .02 or more, a confirmation test must be performed.

Confirmation Tests

If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed. If a different BAT will conduct the confirmation test, the BAT who conducts the screening test will complete and sign Step 3 of the ATF. The BAT will provide the employee with Copy 2 of the form.

In the presence of the employee, the BAT will conduct an "air blank" to ensure that the device is working correctly. The BAT must show the reading to the employee. The air blank result must be .00. If the reading is greater than .00, the BAT will conduct one more air blank. If the reading is greater than .00, testing will not proceed using the instrument. However, testing may proceed on another instrument.

The BAT will instruct the employee not to eat, drink, put any object or substance in his or her mouth, and, to the extent possible, not belch during a waiting period before the confirmation test. This time period begins with the completion of the screening test and will not be less than 15 minutes. The BAT will explain to the employee the reason for this requirement (i.e., to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the employee's benefit. The BAT will also explain that the test will be conducted at the end of the waiting period. If the employee has disregarded the instruction, the BAT will so note in the "Remarks" section of the ATF.

If a BAT other than the one who conducted the screening test is conducting the confirmation test, the new BAT will initiate a new breath alcohol testing form. The BAT will complete Step 1 on the form. The employee will then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification will be regarded as a refusal to take the test. The BAT will note in the "Remarks" section of the form that a different BAT conducted the screening process.

If the employee does not sign the certification in Step 4 of the form, it will not be considered a refusal to be tested. In this event, the BAT will note the failure to sign in the "Remarks" section of the form.

A breath alcohol test is invalid under the following circumstances:

The EBT does not pass its next external calibration check (invalidates all test results of 0.02 or greater on tests conducted since the last valid external calibration test); this does not invalidate negative tests.

- The BAT does not observe the minimum 15-minute waiting period prior to the confirmation test.
- The BAT does not perform an air blank on the EBT before a confirmation test or such an air blank does not result in a reading of .00.
- The BAT does not sign the form.
- An EBT fails to print a confirmation test result.
- The sequential test number or alcohol concentration displayed on the EBT is not the same as the sequential test number or alcohol concentration on the printed result.

Return-to-Duty Process and Follow-up Procedures

The Company is not required to provide a Substance Abuse Professional (SAP) evaluation or any subsequent recommended education or treatment through an employee assistance program for an employee who has violated a DOT drug and alcohol regulation. If the Company, at its sole discretion, offers the employee an opportunity to return to a DOT safety-sensitive duty following a violation, the Company must, before the employee again performs that duty, ensure that the employee receives an evaluation by a SAP meeting the requirements of the regulations and that the employee successfully complies with the SAP's evaluation recommendations.

SAP Responsibility

- Making a face-to-face clinical assessment and evaluation to determine what assistance is needed by the employee to resolve problems associated with alcohol and/or drug use;
- Referring the employee to an appropriate education and/or treatment program (EAP);
- Conducting a face-to-face follow-up evaluation to determine if the employee has actively participated in the education and/or treatment program and has demonstrated successful compliance with the initial assessment and evaluation recommendations;
- Providing the DER with a follow-up drug and/or alcohol testing plan for the employee;
- Providing the Company and the employee with recommendations for continuing education and/or treatment.

Return-to-Duty Testing

If the Company decides to permit the employee to return to the performance of safety-sensitive functions, the Company must ensure that the employee takes a return-to-duty test. The return-to-duty test cannot occur until:

- The employee has been evaluated by a SAP to determine what education and/or treatment the employee needs to resolve problems related to alcohol or drug use;
- The employee has successfully complied with the prescribed education and/or treatment;
- The employee has been re-evaluated by the SAP to ensure that the employee has properly followed the education and/or treatment program.

Follow-Up Testing

- An SAP must establish a written follow-up testing plan for each employee who has committed a DOT drug or alcohol regulation violation and who seeks to resume the performance of safety-sensitive functions. The SAP does not establish this plan until after it is determined that the employee has successfully complied with the education and/or treatment recommendations.
- The SAP must present a copy of the follow-up testing plan directly to the Company's DER.
- The SAP is the sole determiner of the number and frequency of follow-up tests and whether these tests will be for drugs, alcohol, or both, unless otherwise directed by the appropriate DOT agency regulation. For example, if an employee had a positive drug test, but the SAP evaluation or the treatment program professionals determined that the employee has an alcohol problem as well, the SAP should require that the employee have follow-up tests for both drugs and alcohol.
- The SAP must, at a minimum, direct that the employee be subject to six (6) unannounced follow-up tests in the first 12 months of safety-sensitive duty following the employee's return to safety-sensitive functions. The SAP may, however, require a greater number of follow-up tests during the first 12-month period of safety-sensitive duty.
- The SAP may also require follow-up tests during the 48 months of safety-sensitive duty following this first 12-month period. The SAP is not to establish the actual dates for the follow-up tests he/she prescribes. The decision on specific dates to test is the responsibility of the Company.
- The Company will not impose additional testing requirements on the employee that go beyond the SAP's follow-up and random testing plan.

EAP Program

The Company is not required by law to provide a substance abuse professional SAP or Employee Assistance Program (EAP) or subsequent recommended education or treatment for an employee who has violated a DOT drug and alcohol regulation or this policy. The Company realizes that good workers today are valuable employees. Instead of termination when they violate company safe driving rules, the Company may choose to refer an employee to a substance abuse professional (SAP) and into an Employee Assistance Program (EAP). An EAP is designed to provide help for employees who may have an alcohol or drug problem or both. EAP programs vary considerably based on the substance abuse problems of the employee.

If the Company, at its sole discretion, offers the employee an opportunity to return to a job including a DOT safety-sensitive duty following a violation, the Company must, before the employee again performs that duty, ensure that the employee receives an evaluation by a SAP meeting the requirements of the regulations and that the employee successfully complies with the SAP's evaluation recommendations which may include referral to an EAP.

The employee maybe referred to an EAP counseling program through a national network of professional counselors (clinical psychologists, social workers and/or psychiatrists) to provide an access to a process to work through emotional and/or psychological issues that manifest in their risky drug and alcohol use or related driving behavior.

NOTE: THE COMPANY MAINTAINS THE OPTION OF EMPLOYEE TERMINATION OR REFERRAL TO BOTH AN SAP AND EAP.

Information on Drug Abuse and Alcoholism

As indicated in the introduction, drug use and alcohol abuse can have a serious impact on everyone. Either can negatively impact your health, work, personal life and the lives of others. The following information should assist you in identifying individuals at risk and establishing a track to recovery either for yourself or for someone you know.

The following represent some of the potential effects that drug and alcohol use may have on the user:

Workplace

- May cause the employee to feel capable of handling tasks that are too much or too dangerous
- May cause lateness and absenteeism, increasing the workload of others
- May cause crime on the job, including theft of Company and personal property
- May cause major errors in the work performed, risking harm to the employee, coworkers and customers

Health

- Neurological problems, including dementia, anxiety and suicide
- Cardiovascular problems, include hypertension
- Increased cancer risk
- Liver diseases, including alcoholic hepatitis and cirrhosis
- Sexual dysfunction

Personal life

- Alcohol can also destroy relationships, lead to serious problems with the law (e.g., drunk driving), and even cause harm to the people you love
- If drinking affects your work life, it could lead to job loss and all of the financial problems that would follow

Signs and Symptoms of a drug and/or alcohol problem

Any one or more of the following signs may indicate a drug and/or alcohol problem:

- Appears fearful, anxious or paranoid for no reason
- Blackouts or the inability to remember what has happened
- Cold, sweaty palms; shaking hands
- Lack of motivation; appears lethargic or “spaced out”
- Pattern of absenteeism with vague excuses
- Red, watery eyes; pupils larger or smaller than usual; blank stare
- Regular (or daily) use or consumption
- Secretive or suspicious behavior
- Sudden mood swings, irritability or angry outbursts
- Unexplained need for money; stealing money or items

Intervening when a drug or alcohol problem is suspected

Although Allegheny Crane Rental, KP Construction, and The George Washington Hotel have a below average history of drug and alcohol abuse problems, the Company recognizes that drug abuse, alcoholism and alcohol misuse are problems throughout America.

There are several good reasons why employees should be concerned if any of their coworkers are using drugs or alcohol on the job:

- The employee and their coworkers’ health and safety may be at risk.
- Misuse by one employee may negatively impact the income of another.
- Creates a negative work environment.

No matter what the employee’s position is in the organization, there are things that can be done to ensure that drug and alcohol abuse on the job never becomes a problem at the Company. Acceptance of any misuse puts the employee, the Company, and the public at risk.

Accordingly, the Company requests that any signs or symptoms of drug use or alcohol abuse be reported to the employee’s immediate supervisor. Alternatively, employees may report any signs or symptoms to the **Company DER** noted above in the Drug and Alcohol policy.

Drug and Alcohol Abuse Prevention Plan

Drug and alcohol abuse presents safety and health risks not only for the user but also for any other person in contact with or affected by that user’s work. The Company has a responsibility to all of its employees to provide a safe workplace and also a responsibility to the public to ensure that their safety, and trust in the Company is protected. The purpose of the plan is to:

- Establish and maintain a healthy and safe working environment for all employees;
- Ensure to our customers the reputation of the Company and its employees as good, responsible citizens;
- Reduce accidental injury to individuals and / or property;
- Reduce absenteeism, tardiness, and / or poor job performance;
- Comply with the terms and specifications of our customers’ contracts.

All employees are covered by this policy and as a condition of employment are required to abide by the terms of this policy. Certain employees may be subject to additional requirements, for operation of machinery, for example. In compliance with the Federal D.O.T. standards, a separate and distinct policy is in place for all individuals who operate a commercial motor vehicle.

1. It is the policy of the Company to maintain a Drug / Alcohol Free Workplace. As a condition of continued employment, all employees must abide by the terms of this policy.
2. The use, sale, manufacture, distribution, purchase, possession, dispensing, having metabolites or illegal drugs in the urine, blood or other body tissues, being under the influence of illegal drugs, non-prescribed controlled substances, or alcohol on Company property, while on Company business or while operating Company-owned or leased vehicles and/or equipment is strictly prohibited.
3. In order to detect the use of these substances, as described above, employees may be directed to submit to a urinalysis drug test, blood test and/or breath test. Individuals under the influence of alcohol, or with illegal or non-prescribed controlled substances in their system, are in violation of this policy and will be subject to discipline, up to and including termination of employment.
4. The use of legal drugs, prescribed by a licensed physician to the user, for a specific treatment purpose, may also affect the safety of the employee or fellow employees or members of the public. Therefore, any employee who is taking such medication which might impair safety, performance, or any motor functions must advise his/her supervisor of the potential impairment before reporting to work under such medication. A failure to do so may result in disciplinary action, up to and including termination. If the Company, in conjunction with physician consultation, determines that such use does not pose a safety risk, the employee will be permitted to work. If such use impairs the employee's ability to safely or effectively perform the essential functions of his or her job with or without reasonable accommodations, the Company may temporarily reassign the employee or grant an unpaid leave of absence during the period of treatment. Improper use of 'prescription drugs' is prohibited and may result in disciplinary action. Prescription medication must be kept in its original container if such medication is taken during working hours or on Company property. The prescription must be current and prescribed to the employee. If an employee is taking a prescription drug and working, the medication must be in possession to be exempt from random testing.
5. Refusal to submit, complete, fully cooperate with or consent to, and / or any efforts to tamper with a drug or alcohol test will result in immediate termination.

Reasons for Testing

- Pre-Employment Testing
 - All applicants being considered as a final candidate for a position will be tested for the presence of illegal drugs and/or alcohol as a part of the 'pre-hire' application process. In cases where customer requirements and/or collective bargaining agreements are prohibited, the applicant may be allowed to begin work prior to the receipt of results from the lab; however, they must understand that a positive test would be grounds for immediate termination.
 - Any job applicant who refuses to submit to drug and/or alcohol testing when designated, refuses to sign the consent form, fails to appear for testing, tampers with the test, or fails to pass the pre-employment drug and/or alcohol test will not be hired by the Company and their records will be marked Not for Hire.
- Reasonable Suspicion – For current employees where there is reasonable suspicion that an employee has violated this policy. Reasonable suspicion will exist when an individual's appearance, odor, behavior, speech or other evidence indicate(s) drug and/or alcohol use.
- Return to Duty – Anyone who has violated the Drug Policy and has undergone SAP (substance abuse professional) treatment, and has been referred back for return to duty testing, must undergo testing, prior to returning to work. The test must be negative before the employee returns to work.
- Other Testing – To the extent permitted by applicable law, testing will be done on a job site or department basis where there have been an unusual number of accidents, thefts or other incidents that may be associated under some circumstances with substance abuse. Testing will only be done with the approval of two supervisors.

- Follow-up Testing – If an employee, in the course of employment, enters an assistance program for drug and/or alcohol related problems or an alcohol and drug rehabilitation program, the Company may require the employee to submit to a drug and/or alcohol test on a follow-up basis for up to two years.
- Random Testing – To the extent permitted by applicable law, random testing will be done on a minimum 15% basis, a minimum of twice a year. The alcohol selection rate may be performed at 15%, a minimum of twice a year. The computerized selection will be operated by a neutral third party. An employee who fails to participate in random testing will be terminated. Some employees covered by a collective bargaining unit may be excluded until an agreement has been reached.
- Post-Accident – Drug and alcohol testing will be required of anyone in any way involved with possible cause of an accident where there is an injury that requires medical treatment or that meets the federal guidelines. Drug and alcohol testing will also be required for any accident where there is damage to Company or customer owned or leased property, materials, tools, machinery, equipment or vehicles. Alcohol testing will be completed within 3 hours of the accident. No alcohol testing will be done after 8 hours. If an employee is released from a job site prior to alcohol testing, he may not partake of alcohol for a period of 8 hours.

All employees directly involved or causing a lost time accident will be escorted to the nearest drug collection site. The employee will be given a maximum of two (2) hours to complete the test and return to the job site. The employee will not be paid for more than two (2) hours to take the test and will not be allowed to return to work until the employee has received a negative test result.

Should the collection not take place within four (4) hours of the accident (or at the time of treatment for injured employees), the employee will be deemed to have refused to submit to a test for drugs and/or alcohol and will be terminated.

- Routine Fitness for Duty – An employee will submit to a drug and/or alcohol test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the Company's established policy or that is scheduled routinely for all members of an employment classification or group, and approved as a prerequisite by the Company.
- Additional Testing – May also be conducted as required by applicable state or federal laws, rules, or regulations or as deemed necessary by the Company.
- Refusal to Test – Employees who refuse to submit to a drug and/or alcohol test will be terminated from employment.
- Rehires are required to take a pre-employment drug / alcohol urine test
- An employee must notify the Company of any conviction, acceptance of a guilty plea, or legal equivalent for drug and alcohol related offenses within 5 calendar days. Failure to notify the Company within the specified period will result in termination of employment.

Test Results

The MRO will report verified positive and negative results to the Company. The ruling of the MRO is final. There is a 72-hour window in which employees may order split testing at their expense.

Disciplinary Action

Nothing in this Plan shall limit the Company's right to discipline an employee for any violation of Company policies, procedures or standards in accordance with applicable laws or contractual agreements. For example, an employee who violates other policies, procedures or standards shall be subject to discipline for those violation separate and apart from any discipline he/she receives as a result of the violation of this Plan.

- An employee who has been employed with the Company for less than 90 days who fails a drug/alcohol test will be terminated.
- An employee who has been employed with the Company for more than 90 days who fails a drug and/or alcohol test for the first time will be placed on an unpaid suspension for a minimum of one week until 1, 2 and 3 (below) have been completed:

The employee has enrolled in a licensed, accredited, drug and alcohol center rehabilitation program;

1. The employee's Substance Abuse Professional (SAP) contacts the Company to confirm the employee's enrollment in a rehabilitation program and advises the prescribed course of treatment;
 2. The employee passes another drug and/or alcohol test.
 3. All costs associated with the above will be paid by the employee.
- Should the employee stop attending the drug/alcohol rehabilitation sessions, the employee will be suspended again without pay, and subject to discipline up to and including termination. The employee will only be allowed to return to work, and only if work is available, with successful completion of the treatment or education, passes a drug screen within 3 days, and brings a certificate to the Company.
 - In the event of a second drug/alcohol test failure, the employee will be terminated and the records will be marked 'Not for Rehire' for a period of 1 year.
 - If an employee should leave the employment of the Company without completing all of the assigned rehabilitation, the employee's records will be marked 'Not for Rehire, Conditional' until the required certificates of completion are delivered to the Company.
 - When any of the following occurs, the employee will be terminated and his/her records will be marked 'Not for Rehire' for a period of 1 year:
 - The employee refuses, or fails to submit to any drug and alcohol test required by the Company within the required time limit.
 - The employee refuses or fails to enroll in and complete the required rehabilitation/education course within the required time limits.
 - There is evidence that the employee used any of the listed drugs/alcohol while actually on the jobsite or in Company property.
 - The employee sells, offers for sale, possesses, or provides to another employee any illegal drug, alcohol or any legally controlled substance for which the other employee has no valid prescription.
 - Any employee who fails a test and is provided a Company vehicle will be denied the vehicle after the first failure until successful completion of the prescribed rehabilitation program. However, an employee involved in a motor vehicle accident caused by drug and/or alcohol impairment will permanently forfeit his/her Company vehicle.

Employee Assistance Program

The Company will provide information on drug awareness to encourage employees to abstain from substance abuse. All costs associated with substance abuse treatment and/or counseling will be paid by the individual.

Preservation of Rights

The Company is solely responsible for the content and administration of this Drug and Alcohol Abuse Prevention Plan and reserves the right to interpret, change, rescind or depart from this policy in whole or in part with appropriate notice.

Records and Training

The Company will maintain a current resource file of providers of employee assistance including alcohol and drug abuse programs, mental health providers, and various other persons, entities or organizations designed to assist employees with personal or behavioral problems. The Company will provide an annual education course to assist the employees in identifying personal and emotional problems which may result in the misuse of drugs.

Confidentiality

All information, interviews, reports, statement, memoranda and drug test results are confidential communications; however, the Company has a right to disclose drug test results to its attorney in connection with workers' compensation proceedings and to use the test results when relevant to its investigation of or involvement in other legal or potential legal matters.

Help Lines for Drug & Alcohol Problems

National Institute	800.862.Help
National Cocaine Hotline	800.COCAINE
Greenbriar Treatment	800.637.4673
Gateway	800.472.1177

SECURITY AND PROPERTY

Workplace Violence and Security

It is the intent of the Company to provide a safe workplace for employees and to provide a comfortable and secure atmosphere for customers and others with whom we do business. The Company has zero tolerance for violent acts or threats of violence.

The Company expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional or veiled threat of harm to any employee or Company property will be considered acceptable behavior. Acts of violence or intimidation of others will not be tolerated. Any employee who commits, or threatens to commit, a violent act against any person while on Company premises, will be subject to immediate discharge.

Employees within the Company share the responsibility in identification and alleviation of threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to their supervisor or a member of management. Any threat reported will be carefully investigated and employee confidentiality will be maintained to the fullest extent possible.

Credit Card and Purchase Agreement

Company credit cards may be issued to employees in the names of authorized, trained individuals to purchase certain eligible goods and services in support of the Company. Only eligible direct business expenses may be charged to the cards; personal purchases are strictly prohibited; all transactions must be supported by a detailed business purpose and by original proof of purchase documentation; and all transactions must be reviewed by a person other than the cardholder. Improper use of the card, including use of the card for personal purchases, may result in disciplinary action up to and including termination of employment.

See Appendix: Forms for:

- Credit Card Acknowledgement*

Company Property

Employees are prohibited from unauthorized possession or use of property, proprietary information or supplies belonging to the Company, including Voice Mail and Electronic Mail.

All company-furnished equipment, furniture, lockers, cabinets, desks, computers, telephones, cellular phones voice mail systems, e-mail, and all other like items and systems are considered company property and furnished to employees for business purposes.

Use of the computer, copier and FAX is restricted to business use only. Short personal telephone calls and email messages are permitted on an occasional basis. Excessive personal usage of telephones or email is potentially disruptive, distracting, and can slow down the overall response time of the network. Excessive usage may result in disciplinary action. Note that an electronic trail is left from all e-mail transmissions, even after the message is deleted, and that E-mail archives can be searched rather simply via specialized search engines.

Employees are not permitted to install or run personal programs, documents, files, copied software that violates licensing regulations, etc. on their computer without the express permission of company management.

All company property is subject to inspection, monitoring, fleet tracking, and searching by the Company, with or without notice to the employee, at any time. Therefore, employees are advised to keep items out of the work place if they are private, personal, and not business-related.

The employee of the Company is obliged to adhere to the following conditions regarding use of company property:

- To take good care when using company property and to ensure that it is properly and responsibly maintained and serviced as directed.
- Not to allow the property/equipment to be used by anyone not accredited by the Company's training standards.
- Not to fit any accessories to the property/equipment without prior written approval from the company.
- To go about doing work in a competent manner when using the property/equipment of the company.
- If involved in the production of the company's goods and services, to apply with due diligence in relation to the property or output produced.
- To obtain permission for use of company property/equipment for non-work purposes.
- Not to use the company's property/equipment if intoxicated through alcohol consumption or drug taking.

All employees that have lost any company issued equipment, such as; cell phone (\$200), credit card (\$20), H2S monitor (\$800), KEY FOB (\$30), lap top (\$1250), Safety Kit (\$30) or any other equipment that the employee is responsible for, will be subject to the following consequences;

First Time: Pay the cost of item before being assigned replacement equipment.

Second Time: Pay the cost of item before being assigned replacement equipment and serve a three (3) day suspension from work.

Third Time: Termination

If item(s) are stolen, provide a police report to avoid consequences.

Theft of Company Property

Any employee of the Company who is found guilty of the theft of company property or equipment will be subjected to summary dismissal and prosecution.

Damage of Company Property

Any employee involved in an accident as a result of alcohol consumption or unlawful drug taking, negligence, or recklessness will be required to pay for all associated costs.

Personal Property

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

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

Company Vehicle Usage

Qualified employees will be assigned to a specific vehicle that may be driven to and from home and work.

Qualified employees are:

Employees who are responsible for responding to on call emergencies

Employees who work out of their home and are responsible for making field sales

Division Managers

Nonqualified employees are those who will need a vehicle for work tasks, but will pick up the vehicle at a designated depot, such as the shop, office or hotel before shift begins and return the vehicle to the same spot when shift is complete. These employees will also be assigned a SPECIFIC vehicle. These employees will use their own vehicles (non-compensated) to travel to the depot site.

Crane operators who are working 2 shift operations will use a company (transport) vehicle to travel to and from the site. This vehicle will be shared between the 2 operators. A company (shelter) vehicle will be placed on site during crane set up and will remain there for the duration of that job.

Crane operators who are working within the 75 mile work radius of the shop,(totaling more than a 150 mile round trip from shop to work site), will use a company (transport) vehicle to travel. Initially this vehicle will be picked up at the shop. If the job is contracted for consecutive days, the operator may return home with the vehicle.

Crane operators who are working outside this radius will:

Use a company (transport) vehicle to travel from the well site to a motel.

Be paid a per-diem rate of \$130 daily.

Not return home if accepting per-diem rate

Following these guidelines means that the transport vehicle should not be traveling more than 300 miles daily, during normal operation, this excludes mobilization and return home.

EVERY EFFORT WILL BE MADE TO APPLY THESE RULES WHEN MAKING VEHICLE PLACEMENT DECISIONS:

Transport vehicles – newly purchased single cabs

Shelter Vehicles – Older, larger cab vehicles

When the appropriate numbers of vehicles are not available:

Operators may use their own vehicles to go to work sites

Operators will collect a vehicle allowance rate that is set by the IRS each year for every mile driven. This reimbursement will continue only as long as the operator cannot be provided with a vehicle.

This will be a temporary item in the vehicle policy until the appropriate numbers of vehicles are purchased.

Grand Father Clause:

Verbal agreements, made between the owner of Allegheny Crane Rental and any operators about the use of vehicles or their compensation prior to this policy, will be honored and/ or terminated upon operators' request. All changes are final.

Rules to follow when using company vehicles:

- Vehicles will be signed out in your name. You are responsible for their condition. You are expected to:
 - Keep them clean
 - Keep them fueled up using the company credit card
- All vehicles will be tracked using GPS
- No vehicles will be used for personal use.
- There will be NO SMOKING in any company vehicle
- Seat belts will be fastened at all times by any and all occupants of the vehicle.
- IF the vehicle is damaged beyond normal wear and tear or an accident report indicates operator cause, the driver will be monetarily responsible for the repairs.
- Abide by all state (any we deal with) motor vehicle codes, i.e. speeding, texting

The inability to abide by these rules will result in disciplinary action / loss of vehicle use or reimbursement.

TERMINATION

It is the policy of the Company to ensure that employee terminations, including voluntary and involuntary terminations, and terminations due to the death of an employee, are handled in a professional manner with minimal disruption to ongoing work functions. Termination meetings may address how projects and responsibilities will be handled, and the surrender of company property.

Termination Meeting

Depending on the circumstances, a termination meeting may be necessary to outline the steps in the process.

Standard process of a termination meeting:

- Inform employee of the meeting's purpose.
- Advise if alternate in-house positions were explored (i.e. Reduction in force, demotion).
- Emphasize factors reviewed.
- Provide a written summary of projects to be transferred to other personnel.
- Review summary of benefits, where applicable. (i.e. Severance pay, compensation, insurance, COBRA).
- Advise of effective date and the collection of Company property.

Sample exit interview questions:

- Length of employment.
- Job classification.
- Reason for leaving?
- Pleasant or unpleasant working relationship with job and fellow workers?
- Was job important and significant to the overall operation of the Company?
- Are there any practices or conditions that influenced resignation and suggestions to improve?
- Would the Company be recommended for a potential new hire?

See Appendix: Forms:

- Termination Meeting Protocol*
- Termination Processing Checklist*
- Employee Exit Interview Form*
- Sample Termination Letter*
- Sample Termination Letter – Attendance*
- Sample Termination Letter - Misconduct*

Voluntary Terminations

A voluntary termination of employment occurs when an employee informs their supervisor of the employee's resignation or when an employee is absent from work for three consecutive workdays and fails to contact his or her supervisor (job abandonment).

Employees are requested to provide a minimum of two weeks' notice of their intention to separate from the company to allow a reasonable amount of time to transfer ongoing workloads. The employee should provide a written resignation letter or notification to his or her manager.

Upon receipt of an employee's resignation, the manager will notify the human resource department by sending a copy of the resignation letter or notification and any other pertinent information (e.g., employee's reason for leaving, last day of work).

Human resources, supervisor, or manager will coordinate the employee's out-processing. This process will include:

- The employee's returning all company property (e.g., keys, ID cards, parking passes).
- A review of the employee's post-termination benefits status.
- The employee's completion of an exit interview. The exit interview provides employees with the opportunity to freely express views about working at the company, and the employee's comments during the exit interview will be kept confidential. Human resources will compile data from exit interviews to determine if feedback to the head of the employee's department or other members of management is necessary.

The employee's manager will complete an Employee Termination Checklist and deliver the completed form to human resources.

Involuntary Terminations

An involuntary termination of employment, including layoffs of over 30 days, is a management-initiated dismissal.

The inability of an employee to perform the essential functions of their job with or without a reasonable accommodation may also result in an involuntary termination. An employee may also be discharged for any legal reason, e.g., misconduct, tardiness, absenteeism, unsatisfactory performance or inability to perform.

In some cases, progressive discipline may be used, prior to termination, to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline.

Before any action is taken to discharge an employee, the employee's manager must request a review by the president, and/or human resources.

The president and human resources are responsible for reviewing the situation and determining if discharge is warranted. If the board recommends discharge, the employee's manager and a human resources representative will notify the employee. The employee's manager should complete an Employee Termination Checklist or e-mail HR to confirm the last day worked by the employee.

Death of an Employee

A termination due to the death of an employee will be made effective as of the date of death.

Upon receiving notification of the death of an employee, the employee's manager should immediately notify human resources, or the administrator of benefits.

Final Pay

An employee who resigns or is discharged will be paid through the last day of work, less any agreements the employee may have with the Company. The Company must pay employee all monies earned by the next

scheduled pay day, or by terms of the bargaining agreement. In cases of an employee's death, the final pay due to that employee will be paid to the deceased employee's estate.

The employee's manager should ensure that the payroll office receives the deceased employee's timecard.

Unemployment Compensation

Is available to any employee that meets the qualifications of PA Unemployment law. Contact the local unemployment office to file a claim for unemployment compensation.

Return of Company Property

Any company property issued to employees, such as computer equipment, keys, tools, cell phones, parking passes or company credit cards, must be returned to the Company at the time of termination. Employees will be responsible for any lost or damaged items. If items are returned on the date of separation criminal charges can be filed.

REDUCTION IN FORCE (RIF) POLICY

Reduction in force occurs when changing priorities, budgetary constraints or other business conditions require the Company to abolish positions. A RIF can also occur when a position changes so significantly that the employee is no longer able to perform the required duties.

Whenever an organization contemplates a reduction in force or a layoff, it must take into account the risks of running afoul of a number of federal and state statutes, including the Worker Adjustment and Retraining Notification Act (WARN), the Employee Retirement Income Security Act (ERISA), the Age Discrimination in Employment Act (ADEA) and the Older Workers Benefit Protection Act (OWBPA).

The basic compliance steps to take during a RIF or layoff process are:

- Select employees for layoff.
- Avoid adverse/disparate impact.
- Review federal and state WARN regulations to stay compliant.
- Review OWBPA regulations for compliance (for employees ages 40 and over).
- Determine severance package and additional services (if any).
- Prepare for the layoff session.
- Inform remaining workforce of layoff.

RIF decision requires an evaluation of the need for particular positions and the relative value of work performed by specific employees so that the Company can continue to provide the highest level of service possible with a reduced work force. Determining the retention or separation of an employee includes an evaluation of the relative skills, knowledge and productivity of the employee in comparison to necessary services. Length of service and other factors are also considered but receive less weight in the determination. The Company determines priority for RIF within the following guidelines:

- Temporary employees performing the same work must be terminated before any employee with a probationary or regular full-time appointment, provided that a probationary or regular employee can perform the temporary employee's tasks.
- Reduction in force of full-time regular employees is based on the following factors:
 - Which positions are most critical to the department in the delivery of services
 - Relative skills, knowledge and productivity of employees.
 - Length of service of employees.
 - Consideration of equal employment factors to avoid adverse impact on the Company's affirmative action goals.

Severance Pay

The company does not offer a severance policy and Pennsylvania does not require a severance policy.

Direct Deposit Enrollment

Severance payments, as well as any leave payout due, will continue to be directly deposited into the bank account currently set up. To change to a different account, contact the office.

Other RIF Benefits

Employees separated due to RIF are eligible to collect unemployment insurance provided they meet the normal eligibility requirements. Contact the local unemployment office to file a claim for unemployment compensation.

COBRA/HIPPA POLICY

COBRA is an acronym for "Consolidated Omnibus Budget Reconciliation Act of 1985." COBRA requires employers to offer continuation of group health and/or dental benefits for a specified time to individuals who would otherwise lose coverage due to certain qualifying events.

An individual who is entitled to COBRA continuation coverage due to being covered under a group health and/or dental plan on the day the qualifying event causes loss of coverage (e.g., termination of employment, divorce from the covered employee, etc.). This also includes a COBRA participant's newborn child or newly adopted child acquired who is added to the coverage on or after the initial qualifying event.

If a qualifying event is due to termination of employment, loss of coverage following leave without pay, or reduction in hours, a qualified beneficiary is entitled to a maximum of 18 months of continuation coverage. All other qualifying events entitle a qualified beneficiary up to 36 months of coverage. An 18-month continuation period may be extended to 36 months if a secondary qualifying event occurs during the initial 18-month continuation coverage period (e.g., divorce, death or loss of dependent status). A qualified beneficiary is never entitled to more than 36 months of continuation coverage.

Premiums for 18-month and 36-month qualifying events are calculated at 102% of the current group rate. The premium for disability participants who extend their coverage beyond the initial 18 months of coverage will be calculated at 150% of the current group rate. Rates are recalculated at the time of the group's annual renewal.

The initial COBRA premium payment will be due within 105 days of the date coverage terminated or the date of notice whichever is later. If an employee will receive an annuity from ERS, the monthly premium will be automatically deducted from the monthly annuity payment. Subsequent premiums are due on the first day of the coverage month. The monthly premium payment must be postmarked within thirty (30) days of the due date or coverage will be automatically cancelled retroactive to the last day of the month in which a full premium payment was received and was not considered delinquent.

COBRA coverage may be cancelled prior to the end of the continuation coverage expiration date if:

- A timely premium payment is not received.
- The group benefit plan ceases to provide coverage to any employee/retiree.
- The participant becomes covered under another group health and/or dental plan on or after the COBRA coverage effective date unless the participant is subject to a pre-existing condition limitation or exclusion in the other group health plan. COBRA coverage will end when the new group health plan coverage begins and there is no limitation or exclusion for pre-existing conditions in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- The participant begins receiving Medicare benefits on or after the COBRA coverage effective date.
- The participant extends coverage due to a disability and later begins receiving Medicare benefits or the Social Security Administration (SSA) makes a final determination that the disability no longer exists.
- A written request is received from the participant requesting cancellation of coverage. Coverage cancellations will be made effective the last day of the month in which the U.S. Postal Service postmarks the request. A full premium payment must be submitted for the month in which a request for cancellation is submitted.

The individual is responsible for notifying the Company in writing when enrolled in another group health and/or dental plan or begin receiving Medicare benefits. The right to continue COBRA coverage terminates when an individual becomes covered on or after the COBRA effective date by another group health plan that does not limit or exclude coverage for pre-existing conditions OR if the individual begins receiving Medicare benefits. COBRA coverage will be cancelled retroactive to the last day of the month prior to the month in which the individual first became covered under the other group health and/or dental plan or began receiving Medicare benefits.

Under HIPAA a group health plan's pre-existing condition exclusion period will be reduced month for month by the individual's preceding period of "creditable coverage" under another health plan. The continuous coverage period in another health plan is considered "creditable coverage" provided there has been no lapse in coverage of more than 63 days. COBRA continuation coverage may be terminated if a COBRA participant becomes covered by a new group health plan with a pre-existing condition exclusion clause that is satisfied by the "creditable coverage" provision. The HIPAA rules limiting the applicability of exclusions in most employers' health plans for pre-existing conditions became effective in plan years beginning on or after July 1, 1997.

If a participant becomes covered by another group health plan that limits or excludes coverage for pre-existing conditions on or after the COBRA effective date, COBRA coverage will not be terminated until the expiration of the pre-existing conditions exclusion period. In order to continue COBRA coverage, you will be required to provide the following items regarding the other group health plan: documentation of the pre-existing conditions limitation provision, documentation of the effective date of coverage for each person that is covered by the other group health plan and documentation (e.g. medical or prescription billings) indicating that services were provided during the pre-existing period for each person that is covered by the other group health plan. COBRA coverage will be cancelled on the last day of the month in which the pre-existing condition exclusion period expires

COBRA coverage will continue with individual's current health and/or dental carrier. The individual can make election changes to add/remove dependents or make plan election changes during the benefit renewal period.

Employment References & Checks

The Company makes strict provisions regarding information provided to people outside the Company for current and former employees. This information is restricted to the employment dates and positions held in the Company for that person. This is done to protect the Company and its employees. This information will only be released by authorized management.

STATEMENTS

The Company reserves the right to change policy at any time, and at its sole discretion. The Company will review and update policies on a bi-annual schedule. Its provisions may not be altered by any other means, oral or written.

The Company reserves the right to modify the handbook at any time, and at its sole discretion. Employees will receive notice of any changes the company makes to the employee handbook by posting in common rest area, and are responsible for understanding and complying with all up-to-date policies.

The purpose of the handbook is to familiarize employees with the policies, rules and other key aspects of the Company. The information in the handbook supersedes all rules and policies that may previously have been expressed or implied, in both written and oral format. Compliance with the handbook is compulsory for all employees. The Company reserves the right to interpret the handbook's content as it sees fit, and to deviate from policy when it deems necessary.

If there are questions, please contact the Human Resources Manager or management.

APPENDIX: FORMS

See Appendix Book