INTRODUCTION

Welcome to Dan's Excavating Service, Inc ("DES")!

We're very happy to welcome you to our DES. Thanks for joining us! DES would like you to feel that your employment with us will be mutually beneficial and enjoyable.

You are joining an organization that has established an outstanding reputation for quality products and services. Credit for this goes to every one of our employees and we hope that you will find satisfaction and take pride in your work here.

History

DES is a family-owned and operated business founded in 1997.

Mission and Vision

Our goal is to be a professional problem-solving firm that uses high quality materials to proficiently complete construction projects while exceeding our customers' expectations.

Core Values

Think and Act **Customer First, Others Second, Selves Third**
Build a Strong Team by **Building Up Strong Team Members**
Good People Enjoy a **Positive Culture**
To Improve Yourself You Must **Compete with Yourself**

Handbook Purpose

This employee handbook is presented as a matter of information and has been prepared to inform employees about DES's philosophy, employment practices, policies, and the benefits provided to our valued employees, as well as the conduct expected from them. While this handbook is not intended to be a book of rules and regulations or a contract, it does include some important guidelines which employees should know. Except for the at-will employment provisions, the handbook can be amended at any time.

This employee handbook will not answer every question employees may have, nor would DES want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this guide will help employees feel comfortable with us. DES depends on its employees; their success is our success. Please don't hesitate to ask questions. Every manager will gladly answer them. We believe employees will enjoy their work and their fellow employees here. We also believe that employees will find DES a good place to work.

No one other than authorized management may alter or modify any of the policies in this employee handbook. No statement or promise by a supervisor, manager, or designee is to be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this employee handbook be found to be unenforceable and invalid, such a finding does not invalidate the entire employee handbook, but only the subject provision. Nothing in this handbook is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act (NLRA) or be incompatible with the NLRA.

We ask that employees read this guide carefully, become familiar with DES and our policies, and refer to it whenever questions arise.

EMPLOYMENT

Equal Employment

To provide equal employment and advancement opportunities to all individuals, employment decisions will be based on merit, qualifications, and abilities. We do not discriminate in employment opportunities or practices based on race, color, religion, sex (including sexual orientation and gender identity), national origin, age, disability, genetic information, or any other characteristic protected by law.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate Supervisor or Human Resources. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to corrective action, per the DES policy.

At-Will Notice

The employment relationship between DES and employees is at-will. This means that employees are not hired for any specified period of time and their employment may be terminated at any time, with or without cause, and with or without notice, by either DES or the employee. DES policy requires that all employees are at-will; any implied, oral, or written agreements or promises to the contrary are void and unenforceable, unless approved by an officer with the power to create an employment contract. There is no implied employment contract created by this Handbook or any other DES document or written or verbal statement or policy.

Anniversary Date and Seniority

The employee's date of hire is their official employment anniversary date. Seniority is the length of continuous service starting on that date. Should an employee leave DES and then be rehired, previously accrued seniority will be lost and seniority will begin to accrue again on the date of rehire. Apart from certain protected leaves and paid time off, seniority does not accrue during leaves of absence that exceed 30 calendar days.

Immigration Law Compliance

DES is committed to employing only United States citizens and aliens who are authorized to work in the United States. DES does not unlawfully discriminate based on citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the DES in the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Office Manager. Employees may raise questions or complaints about immigration law compliance without fear or reprisal.

Introductory Period

The employee's first 90 days of employment with DES are considered an introductory period. This introductory period will be a time for getting to know fellow employees, managers and the tasks involved in the position, as well as becoming familiar with DES's products and services. The supervisor or manager will work closely with each employee to help them understand the needs and processes of their job.

This introductory period is a try-out time for the employee and DES. During this introductory period, DES will evaluate employees' suitability for employment and employees can evaluate DES as well. At any time during this first 90 days, employees may resign. If, during this period, employee work habits, attitude, attendance, performance or other relevant factors do not measure up to our standards, DES may terminate employment. As always, however, all employees are considered at-will employees which means either you or DES may terminate employment without cause or notice.

At the end of the introductory period, the supervisor or manager will discuss each employee's job performance with them. During the course of the discussion, employees are encouraged to give their comments and ideas as well.

Completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for cause. Completion of the introductory period also does not imply that employees now have a contract of employment with DES, other than at-will. Successful completion of the introductory period does not alter the at-will employment relationship.

A former employee who has been rehired after a separation from DES is considered an introductory employee during their first 90 days following rehire.

Employment Classifications

DES has established the following employee classifications for compensation and benefit purposes only. An employee's supervisor or manager will inform the employee of their classification, status, and responsibilities at the time of hire, re-hire, promotion or at any time a change in status occurs. These classifications do not alter the employment at-will status.

Temporary Employee

An employee who is scheduled to work on a specific need of DES. The employee will not receive any benefits unless specifically authorized in writing.

Regular Part-Time Employee

An employee who is scheduled to work less than 40 hours in a workweek and may be eligible for some benefits.

Regular Full-Time Employee

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

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 their work responsibilities.

It is DES's policy to make deductions from Exempt employees' wages as allowed by the FLSA. Exempt employees with questions about wage deductions should bring their concerns to the Office Manager, who will, in turn reimburse the employee for any improper deductions.

Non-Exempt
Employees whose positions do not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked. Unless notified otherwise in writing by management, all employees of DES are non-exempt.

Personnel Records

DES maintains various employment files while an individual remains an employee of DES. Such files may include employee personnel files, attendance files, I-9 files, and files for medical purposes. Employees are required to notify their manager should any of their personal information change (e.g., address, phone number, last name) so the appropriate updates can be made to the files. DES will take reasonable precautions to protect employee files and employees' personally identifiable information in its records.

Employee files are restricted based on who reasonably needs access to all or parts of the files. Employees may review their own personnel file by making a written request to their manager or Human Resources. The written request will become a part of the employee's personnel file. A review of files must take place in the presence of the employee's manager or Human Resources.

DES assumes no obligation to furnish information about any employee to any third-party. DES may choose to release information to a third-party request only with signed authorization.

Social Security Number Confidentiality

DES takes precautions to ensure that Social Security Numbers kept in employee files and records are kept confidential by limiting the number of people who have access to this information as well as the number of places such information is stored. After the time required by law for record retention, DES will dispose of all documents containing Social Security Numbers by shredding, or if electronic, permanently erasing the files. Employees who access records containing Social Security Numbers without proper authorization will be subject to disciplinary action, up to and including termination.

Employee References

All employee reference check requests should be forwarded to Human Resources; only authorized members of management or Human Resources may provide this information. When DES is contacted for a reference check or employment verification, generally only positions held and dates of employment will be confirmed. In some circumstances, past salary and eligibility for rehire may be provided as well.

Job Transfers

DES aspires to promote qualified internal candidates to fill open positions whenever possible and practical. When job openings occur, current employees are encouraged to apply.

Management reserves the right to place an employee in whatever job it deems useful or necessary. All job transfers, reassignments, promotions, demotions, or lateral transfers are at the discretion of DES.

CONDUCT AND BEHAVIOR

General Conduct Guidelines

Employees are expected to exercise common sense and courtesy at all times, for the benefit of clients, co-workers, and DES as a whole. Professionalism is expected, as is respect for the safety and security of people and property. Failure to meet these expectations may be grounds for discipline, up to and including termination. The following are examples of unacceptable conduct, but this is not an exhaustive list.

- Failure to follow the policies outlined in this handbook.
- Negligent, careless, or inconsiderate treatment of clients or their information.
- Theft, misappropriation, or unauthorized possession or use of any property that does not belong to the employee.
- Unauthorized removal or handling of DES property from the premises.
- Sharing trade secrets or other confidential business information with anyone who does not have an official need to know.
- Accessing, without authorization, confidential information pertaining to clients or employees.
- Falsifying or changing any type of DES, client, or employee document or record without authorization.
- Willfully, negligently, or carelessly damaging, defacing, or mishandling property of DES, a client, or an employee.
- Taking or giving bribes of any nature.
- Entering DES premises without authorization.
- Violating security, safety, or fire prevention regulations, or tampering with safety equipment.
- Unauthorized use of a personal vehicle for DES business.
- Conduct that is illegal under federal, state, or local law.
- Creating a disturbance on DES premises.
- Use of abusive language.
- Any rude, discourteous, or unbusinesslike behavior, on or off DES premises, which is not protected by Section 7 of the National Labor Relations Act and that adversely affects DES services, operations, property, reputation, or goodwill in the community, or interferes with work.
- Insubordination or refusing to follow instructions from a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements.
- Leaving during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
- Sleeping during regular working hours.
- Recording time for another employee or having time recorded by another employee.
- Use or possession of illegal drugs on DES premises at any time.
- Use of alcohol or illegal drugs during working hours, or working under the influence of intoxicants.
- Unauthorized possession of a weapon on DES premises.
- Illegal gambling on DES premises.
- Soliciting, collecting money, vending, and posting or distributing bills or pamphlets during working hours in work areas. 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 regular operation of business, is orderly,

lawful, in good taste, conducted in an orderly manner, and does not create a safety hazard or a mess. Non-employees are prohibited from all forms of solicitation on DES property at all times.

Sexual and Other Unlawful Harassment

DES is committed to providing a work environment free of harassment in any form, including inappropriate and disrespectful behavior, intimidation, and other unwelcome conduct directed at an individual because of their inclusion in a protected class. Applicable federal and state law defines harassment as unwelcome behavior based on someone's inclusion in a protected class. Sometimes language or actions that were not expected to be offensive or unwelcome actually are, so employees should err on the side of being more sensitive to the feelings of their co-workers rather than less.

The following are examples of harassment; behaviors not in this list may also be considered harassment:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Retaliation or threats of retaliation for refusing advances or requests for favors;
- Leering, making sexual gestures or jokes, or commenting on an employee's body;
- Displaying sexually suggestive content;
- Displaying or sharing derogatory posters, photographs, or drawings;
- Making derogatory epithets, or slurs;
- Ongoing teasing about an employee's religious or cultural practices;
- Ongoing teasing about an employee's sex, sexual orientation, or gender identity;
- Physical conduct such as touching, assault, or impeding or blocking movements

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for DES, such as clients, customers or vendors.

Any form of retaliation against someone who has expressed concern about any form of harassment, refused to partake in harassing behavior, made a harassment complaint, or cooperated in a harassment investigation, is strictly prohibited. A complaint made in good faith will under no circumstances be grounds for disciplinary action. Individuals who make complaints that they know to be false may be subject to disciplinary action, up to and including termination.

Enforcement

All managers and supervisors are responsible for:

- Implementing DES's harassment policy;
- Ensuring that all employees they supervise have knowledge of and understand DES policy;
- Reporting any complaints of misconduct to the designated DES representative, the COO, so they may be investigated and resolved internally;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and
- Conducting themselves in a manner consistent with the policy.

Addressing Issues Informally

Employees who witness offensive behavior in the workplace - whether directed at them or another employee - are encouraged, though not required, to immediately address it with the employee whose behavior they found offensive. An employee who is informed that their behavior is or was offensive should stop immediately and refrain from that behavior in the future, regardless of whether they agree that the behavior could have been offensive.

Harassment Complaint Procedure

Employees are encouraged to use the Complaint Procedure to report behavior that they feel is harassing, whether or not that behavior is directed at them. The Complaint Procedure provides for immediate, thorough, and objective investigation of claims of harassment. Appropriate disciplinary action will be taken against those who are determined to have engaged in harassing behavior.

Abusive Conduct

Abusive conduct means malicious conduct in the workplace that a reasonable person would find hostile or offensive and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the sabotage or undermining of a person's work performance. A single act will generally not constitute abusive conduct, unless especially severe.

DES considers abusive conduct in the workplace unacceptable and will not tolerate it under any circumstances. Employees should report abusive conduct to a manager or Human Resources. Managers are responsible for ensuring that employees are not subjected to abusive conduct. All reports will be treated seriously and investigated when appropriate. Employees who are found to have engaged in abusive conduct will be subject to discipline, up to and potentially including termination. Retaliation against an employee who reports abusive conduct or verifies that it took place is strictly prohibited.

Complaint Procedure

DES has established a procedure for a fair review of complaints related to any workplace controversy, conflict, or harassment. Employees may take their complaint directly to the person or department listed in Step 2 if the complaint is related to their supervisor or manager or if the employee feels the supervisor or manager would not provide an impartial resolution to the problem.

Step 1

The complaint should be submitted in writing to a supervisor or manager within three working days of the incident or as soon as possible. Sooner is better, as it will assist in a more accurate investigation, but complaints will be taken seriously regardless of when they are reported. Generally, a meeting will be held within three business days of the employee's request, depending upon scheduling availability. Attempts will be made to resolve the issue during the meeting, but regardless of whether there is an immediate resolution, the supervisor or manager will give the employee a written summary of the meeting within three business days. Resolution may take longer if further investigation of the complaint is required. If the employee is not satisfied with the resolution, they may proceed to Step 2.

Step 2

The employee may submit a written request for review of the complaint and Step 1 resolution to the COO or a designated investigator. This request should be made within three working days following the receipt of the Step 1 resolution. The COO or the designated investigator will review the complaint and resolution and may call an additional meeting to explore the problem. If warranted, additional fact-finding will be undertaken. A final decision will be rendered within 10 working days after receiving the Step 2 request, and a written summary of the resolution will be provided to the employee who filed the complaint.

Corrective Action

A high level of job performance and professionalism is expected from each employee. In the event that an employee's job performance does not meet the standards established for the position, they violate DES policies or procedures, or their behavior is otherwise unacceptable, corrective action may ensue. Corrective action may include, but is not limited to: coaching, oral or written warnings, performance improvement plans, paid or unpaid suspension, demotion, and termination. The type and order of actions taken will be at management's sole discretion and DES is not required to take any disciplinary action before making an adverse employment decision, including termination.

COMPENSATION

Pay Periods

The standard seven-day payroll workweek for DES will begin at 12:00 a.m. Sunday. The designated pay period for all employees is weekly. Paydays are every Tuesday. Except as otherwise provided, if any date of paycheck distribution falls on a holiday, employees will be paid on the following scheduled workday.

Timekeeping

All non-exempt employees are required to use the QuickBooks Time/Workforce app to record their hours worked. For the purpose of this policy, all forms of timekeeping will be referred to as clocking in or out.

Employees should clock in no sooner than five minutes before their scheduled shift and clock out no later than five minutes after their scheduled shift. Additionally, employees are required to clock in and out for their designated lunch periods. The length of the lunch period will be designated by the employee's manager. Lunch periods are unpaid time when employees are relieved of all duties.

Accurate timekeeping is a federal and state wage and hour requirement, and employees are required to comply. Failing to enter time into the timekeeping system in an accurate and timely manner is unacceptable job performance. Employees may not ask another employee to clock in or out for them. Should an employee miss an entry into the timekeeping system, they must notify their manager as soon as possible for correction.

Non-exempt employees are not permitted to work unscheduled time without prior authorization from their manager. This includes clocking in early, clocking out late.

Overtime

DES complies with all applicable federal and state laws with regard to payment of overtime work. 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 40 in a workweek.

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

Payroll Deductions

DES complies with the salary basis requirements of the Fair Labor Standards Act (FLSA) and does not make improper deductions from the salaries of exempt employees. There are, however, certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability

- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide sick leave plan that provides compensation for salary lost due to illness
- To offset amounts received as witness or jury fees, or for military pay
- For disciplinary suspensions of one or more full days imposed in good faith for serious workplace policy violations
- For penalties imposed in good faith for serious safety infractions
- When an employee is on unpaid leave under the Family Medical Leave Act
- During an employee's first and last week of employment, if they work less than a full week

If an employee believes that an improper deduction has been made, they should immediately report this to their manager or the person responsible for payroll processing. Reports will be promptly investigated and if it is determined that an improper deduction has occurred, the employee will be promptly reimbursed.

Pay Adjustments, Promotions and Demotions

All pay increases are based upon merit, market factors, and the profitability of DES. There may not be an automatic annual cost of living or salary adjustment. Employee 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. Demotion is a reduction in responsibility, usually accompanied by a reduction in salary. If demotion occurs, employees will maintain their seniority with DES.

Performance Evaluation

Employees will generally receive an appraisal of their job performance annually. This evaluation may be either written or oral. Such evaluation may not occur at exactly the same time each year, but thereabout, at the discretion of the employee's manager.

If the employee receives an evaluation sheet or other written document, they will be required to sign it. An employee's signature does not necessarily indicate that the employee agrees with all the comments, but that they have been given the opportunity to examine the evaluation and discuss it with their manager. The completed and signed evaluation form will be placed in the employee's personnel file and the employee will receive a copy of the performance evaluation.

In addition to performance evaluations, informal counseling sessions may be conducted from time to time.

Work Assignments

On occasion employees may be required to perform duties that are not part of their job description or usual tasks. This may happen because a co-worker is absent, a position is temporarily vacant, the business or department is particularly busy, or for other reasons. Employees are expected to perform these additional duties in a timely fashion and to the best of their ability. Should questions about process or procedure arise, employees should speak with their manager. Unless informed otherwise, employees will be paid at their regular rate of pay.

Expense Reimbursement

DES will cover all reasonable, business-related expenses. Any cost, including those listed in the guidelines below, must be approved by the appropriate manager before the expense is incurred. Employees may not be reimbursed for expenses that were not approved in advance and are deemed unnecessary or extravagant.

The following types of expenses may be reimbursable under this policy:

- Lodging
- Travel expenses including airfare, reasonable airline luggage fees, train fare, bus, taxi, and related tips
- Meals, including tips up to 20%
- Car rental, parking fees, and tolls
- Mileage on a personal vehicle at the current IRS reimbursement rate

The following expenses are examples of expenses not reimbursable under this policy:

- Airline club dues
- Traffic fines
- Tips in excess of 20%
- In-flight movies, mini-bar expenses, and other forms of personal entertainment
- First-class airfare

No policy can anticipate every situation that might give rise to legitimate business expenses. Reasonable and necessary expenses not listed above may be reimbursable. When prior approval is required, managers should use their best judgment to determine if an unlisted expense is reimbursable under this policy.

Credit Cards

DES-issued credit cards are to be used for purchases on behalf of DES and for any travel expenses incurred while traveling on DES business only. At no time may an employee use a DES credit card for purchases intended for personal use; such expenses will require that DES be reimbursed and may lead to revocation of credit card privileges and other discipline. Credit card expenses require the same reimbursement documentation as other expenses.

Documentation

Requests for reimbursement of business expenses must be submitted to management. In order to comply with IRS regulations, all business expenses must be supported with adequate records; employees are responsible for keeping these records as expenses are incurred. These records must include:

- The amount of the expenditure
- The time and place of the expenditure
- The business purpose of the expenditure
- The names and the business relationships of individuals for whom the expenditures were made

Requests for reimbursement lacking this information, or a receipt, will not be processed and will be returned to the employee.

Approvals

Expense reimbursement forms, together with required documentation, must be submitted to the employee's manager for review and approval. Once the expense reimbursement has been approved, it should be submitted for processing no more than 5 days after the

expenses occurred. Managers approving expense reports are responsible for ensuring that the expense report have been filled out correctly with the required documentation and that the expenses submitted are allowable under this policy.

Advances and Loans

DES does not give advances or loans to employees.

BENEFITS

Holidays

Regular full-time employees are entitled to the following paid holidays observed by DES:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- Christmas Day

Other days or parts of days may be designated as holidays with or without pay. No holiday pay will be paid to an employee who is on an unpaid status, on any leave, absent due to workers' compensation, or within their first 90 days of employment with DES. If a holiday falls on a Sunday, the holiday may be observed on the following Monday. If the holiday falls on a Saturday, the holiday may be observed on the preceding Friday.

Paid Time Off

To help employees foster a work-life balance, DES offers paid time off (PTO). PTO may be used for any purpose, including but not limited to vacation, personal matters, recovery from injury or illness, or any reason listed in the Earned Sick Time Act policy. PTO should be scheduled with the appropriate manager with as much notice as is possible to not disrupt the workplace.

PTO Accrual

PTO begins to accrue immediately upon hire and may be used after completion of an employee's introductory period.

- **Temporary and Regular Part-Time Employees:** Earn .035 hours of PTO for each hour worked.
- **Regular Non-Exempt Full-Time Employees:** Earn 80 hours of PTO at the time of hire and annually on their anniversary date.
- **Regular Exempt Full-Time Employees:** Based on individual employment arrangement

PTO Usage

Employees may use PTO flexibly for vacation, sickness, personal leave purposes, or for any reason described in the Earned Sick Time Act policy. Employees are not permitted to use PTO prior to it being earned and credited to their PTO balance. Non-Exempt employees are not required to use PTO prior to taking unpaid leave.

PTO Carry-Over and Unused PTO

Time away from work provides a break beneficial to both DES and the employee. Therefore, employees are encouraged to use PTO annually. DES allows PTO to carry over from one calendar year to the next. PTO balances may never exceed 80 hours and team members will not be granted additional PTO after reaching a PTO balance of 80 hours. Employees will not be paid wages in lieu of unused PTO time. DES does **not** payout unused PTO upon termination of employment and PTO will be forfeited upon employment separation, unless payout is required by state law.

Michigan Earned Sick Time Act

All employees are eligible for paid sick time under the Earned Sick Time Act. Leave may be taken for the following reasons:

- The employee's or the employee's family member's mental or physical illness, injury, or health condition; medical diagnosis, care, or treatment of the eligible employee's mental or physical illness, injury, or health condition; or preventative medical care for the eligible employee.
- For meetings at a child's school or place of care related to the child's health or disability, or the effects of domestic violence or sexual assault on the child.
- For closure of the employee's place of business by order of a public official due to a public health emergency; for an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; or when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or employee's family member's presence in the community would jeopardize the health of others because of the employee's or family member's exposure to a communicable disease.

It may be used for the employee, and the employee's family member including:

- A biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis.
- A biological parent, foster parent, stepparent, or adoptive parent or a legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child.
- A person to whom the employee is legally married under the laws of any state or a domestic partner.
- A grandparent.
- A grandchild.
- A biological, foster, or adopted sibling.
- An individual whose close association with the employee is the equivalent of a family relationship.

Employees are required to provide DES with advance notice of 7 days' notice if the need to take medical leave is foreseeable. If the need is not foreseeable, notice should be given as soon as practicable. We may request documentation to support the need for medical leave after an absence of three consecutive days and you will have 15 days to provide the requested documentation.

We prohibit retaliation and discrimination against employees for using or requesting the use of paid sick time.

Health and Welfare Benefits

DES complies with all applicable federal and state laws with regard to benefits administration. All Full-time employees are entitled to health insurance and other DES-sponsored health benefits, when in effect. DES reserves the right to change or terminate health plans or other benefits at any time.

Group Health Benefits

DES partners with BHS Insurance Agency's Group Health Coordinator to facilitate employee health benefits. Employees are encouraged to contact the Group Health Coordinator for plan details and to enroll. Open enrollment of these plans is March 15 to April 15 each year and new employees have 30 days from their hire date to enroll in any plan they choose.

New qualifying employees will be eligible for coverage on the first calendar day of the month immediately following their date of hire. New employees may elect not to be covered with the permission of DES, provided the percentage of employees not covered is within the benefit plan specifications.

Group Medical

Employees working 20 or more hours per week are eligible for medical insurance. DES will provide co-payment of premiums as follows:
After 90 days DES will cost share 50% of the monthly premiums for the employee

- After 5 years of continuous Full-Time employment, DES will cost share 65% of the monthly premiums for the employee
- After 10 Years of continuous Full-Time employment, DES will cost share 75% of the monthly premiums for the employee

All group medical plan options allow married spouse, biological children, and non-biological children of married spouse to be added.

- Increased premiums for family members will be paid by the employee at 100%
- Marriage is defined as a legal union between a man and a woman

Employees on layoff may continue health insurance as follows:

- Continuation of insurance will be offered through COBRA; employees interested will need to accept the terms of continuation as described in the COBRA notification
- DES will cost share 50% of the employee's coverage (family member coverage may be continued as well at the employee's cost) for up to 4 months in a 12-month period.

AFLAC Plan Coverage

Coverage is available after 90 days of employment

Employees enrolled in benefit are responsible for 100% of the plan premiums

- If group medical coverage is waived, DES will contribute up to $75/month toward plan premiums

Group Vision

Employees enrolled in benefit are responsible for 100% of the plan premium

Group Dental

Employees enrolled in benefit are responsible for 100% of the plan premium

Employer Retirement Plan

DES, Inc offers a Simple IRA Plan to all employees. The plan is facilitated through Edward Jones and eligible employees can contribute up to the IRS specified annual limit. Eligible employees can open an account at any time and DES will match each contribution up to 3% of gross pay.

- Eligible employees are those who earned $5,000 or more through their employment with DES in the previous calendar year

Employee Assistance Program

DES offers an Employee Assistance Program (EAP) which is administered through Pine Rest Christian Mental Health Services. This benefit plan is fully paid for by DES. Employee coverage begins immediately upon employment.

Counseling

The EAP program covers seven teletherapy or in-person counseling sessions to help an employee, *or anyone living in the employee's household*, through a difficult event or "episode of care (EOC)." Each session can last up to one hour.

Covered individuals may request assistance with an unlimited number of EOC, but one EOC must be resolved/closed prior to beginning a second.

If an employee has exhausted their session limit for their EOC and chooses to continue care; the employee would be expected to self-fund future sessions. DES recommends reviewing your medical insurance coverage as self-funded sessions may have some level of coverage.

24 Hour Hotline

The EAP program offers 24/7 in the moment support. This line can be used for crisis intervention and does not count toward an employee's seven event session limit.

Callers will leave voicemail messages and have their voicemail returned by a clinician within 60 minutes.

Legal Consultations
The EAP program offers a 30-minute telephonic consultation through law firm Rhoades McKee plus a 20% discount of any additional services the employee chooses to work with Rhoades McKee on.

Financial Consultations
The EAP program provides no cost financial consultations with finance experts through Lake Michigan Credit Union (LMCU). Financial consultations may be scheduled to be telephonic, virtual, or in-person.

Elder Care Consultations
The EAP program provides unlimited access to elder care experts. These experts work to carefully assess the elder's care needs and provide education, support, and contact information for resources to help with the overwhelming task of taking on an elder's care.

EAP Personal Advantage Library
The EAP program provides unlimited access to a digital library with over 20,000 resources. Resources provide insight on a variety of topics including health and wellness, finances, legal issues and more. Resources may include articles, videos, webinars, calculators, assessments, and training.

Continuation of Benefits

Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), or a state mini-COBRA law, employees may be allowed to continue their health insurance benefits, at their own expense, for a set number of months after experiencing a qualifying event. Length of coverage may be dependent upon the qualifying event.

To qualify for continuation of health benefits, the covered individual must experience a qualifying event that would otherwise cause them to lose group health coverage. 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

For 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

For 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

See Human Resources for additional information.

Civil Air Patrol Leave

Employees who are members of the Civil Air Patrol will be excused from work for the purpose of responding to an emergency declared by the Governor or the President of the United States. Employees should provide as much notice as possible of their need to be absent and may be asked to provide proof of their volunteer service. Employees who are members of the Civil Air Patrol should inform DES upon hire, or within 30 days of being qualified to provide emergency services.

Crime Victim Leave

If an employee is the victim of a crime, absent from work to serve as a witness in response to a subpoena, or at the request of the prosecuting attorney; the employee will be granted a witness leave without pay for such time as it is necessary to comply with the request. DES may request proof of the need for leave.

Jury Service Leave

Employees will be allowed time off to attend jury duty. DES may request that the employee ask to be excused from service, or request postponement, if their absence from work would create a serious hardship to DES.

Employees must submit a copy of the original summons to their manager as soon as it is received. For periods of service longer than two days, DES may require proof that the employee attended jury service. Employees should report for work on any day, or partial day, not actually spent attending jury duty.

Employees may keep any fees received for jury duty. Jury duty leave is unpaid, though employees will be allowed to use accrued paid time off, if any is available. Exempt employees will be paid in accordance with the Fair Labor Standards Act.

Military Leave

Employees on a military leave of absence are entitled to be restored to their previously held position or similar position, if available, without loss of any rights, privileges or benefits provided they meet the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

USERRA generally applies to employees who are in the:

- Army, Navy, Air Force, Marines, and Coast Guard (both active and reserve components)
- Army and Air National Guard
- Commissioned Corps of the Public Health Service
- Federal Emergency Management Agency reserves
- Any other category designated by the President in time of war or emergency

In certain circumstances, a letter from the employee's commanding officer may be requested to establish the dates of duty.

Temporary Disability Leave

DES recognizes that a temporary disability may prevent employees from coming to work for a period of time. In such cases, DES may grant a temporary disability leave. This leave does not have a minimum or maximum time frame. Rather, DES will attempt to reasonably accommodate the needs of the employee as well as the needs of DES. If a leave is granted, any extensions will be subject to the same considerations.

Employees requesting a temporary disability leave must document their request in writing. That request should be accompanied by a doctor's statement identifying how the temporary disability limits the employee's ability to work, the date and the estimated date of return and, where appropriate, diagnosis and prognosis. Should the employee's expected return date change, the employee should notify DES as soon as possible. Prior to returning

to employment with DES, employees will be required to submit written medical certification of their ability to work, including any restrictions. Upon returning to work, if employees qualify, they will be reinstated to their former position or one that is substantially the same, depending upon the availability of any position at that time.

The leave will be unpaid, except that employees must use any available paid sick leave concurrently and may choose to use other accrued paid time off concurrently once their sick leave has been exhausted.

Witness Leave

Employees who need to attend court as a witness, to appear with a minor, or because they are the victim in a criminal case, will be granted leave in order to appear in court. DES may require proof of the need for leave. This leave is unpaid, though employees will be allowed to use accrued paid time off, if any is available. Exempt employees will be paid in accordance with the Fair Labor Standards Act.

HEALTH, SAFETY, AND SECURITY

Non-Smoking

Smoking, vaping, and use of chew are not permitted in any DES buildings, work sites, or vehicles. Employees wishing to engage in these activities may do so during their designated break times, outside of DES buildings and in accordance with local ordinances.

Drug and Alcohol

DES provides employees with a workplace that is free of drugs and alcohol. While on DES premises, whether during work time or non-work time, employees are prohibited from being under the influence of drugs or alcohol. There are limited exceptions for the use of prescription drugs (not including marijuana), if they do not create safety issues or impair an employee's ability to do their job.

Employees are strictly prohibited from possessing illegal drugs, cannabis, or excessive quantities of prescription or over-the-counter drugs while on DES premises, performing DES-related duties, or operating any DES equipment. Any drugs confiscated that are suspected of being illegal will be turned over to the appropriate law enforcement agency.

Employees taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform their job and should advise their manager of any resulting job limitations. Once notified, DES will make reasonable efforts to accommodate the limitation.

DES reserves the right to test any employee for the use of illegal drugs, marijuana, or alcohol, in accordance with applicable law. Employees in safety-sensitive positions may be subject to regular or random drug testing. Drug or alcohol tests may also be conducted after an accident in which drugs or alcohol could reasonably be involved, or when behavior or impairment on the job creates reasonable suspicion of use. Under those circumstances, the employee may be driven to a certified lab for testing at DES's expense. Refusal to be tested for drugs or alcohol will be treated the same as a positive test result.

Violation of this policy may result in discipline, up to and including termination.

To the extent that any federal, state, or local law or regulation limits or prohibits the application of any provision of this policy, then that particular provision will be ineffective in that jurisdiction only, while the remainder of the policy remains in effect.

Reasonable Accommodations

Disability

If DES is made aware of an employee's disability and resulting need for accommodation, Human Resources or the employee's manager will engage with them in the interactive process. This process will determine what, if any, accommodations are necessary and reasonable in order to assist the employee in doing the essential functions of their job. Whether an accommodation is reasonable will be determined based on a number of factors, including whether it will effectively assist the employee in doing the essential functions of their job, the cost, and the effect on business operations. In most cases, employees will be required to provide documentation from an appropriate healthcare provider. Human Resources will provide employees with the necessary form.

All employees are required to comply with safety standards. Employees who pose a direct threat to the health or safety of themselves or others in the workplace may be temporarily moved into another position or placed on leave until it is determined if a reasonable accommodation will effectively mitigate the risk.

Pregnancy

DES will provide reasonable accommodation to pregnant employees for known limitations related to pregnancy, childbirth, or other related medical conditions, provided that such accommodations would not create an undue hardship. Examples of potential accommodations include:

- Seating
- Additional break time to use the bathroom, eat, and rest
- Leave or time off to recover from childbirth
- Limitations on strenuous activities
- Flexible hours

If you need an accommodation, notify your manager or HR. If the need for a particular accommodation is not obvious, you may be asked to provide additional information, such as how it will address limitations caused by pregnancy, childbirth, or related medical conditions. If additional discussion is necessary, DES will engage with you in the interactive process to accurately understand your limitations and find reasonable accommodations.

If leave is provided as a reasonable accommodation, it may run concurrently with other leave(s) provided by federal, state, or local law.

This policy reflects an employee's right to accommodations under the federal Pregnant Workers Fairness Act and does not override any additional rights or accommodations provided by state or local law.

Injury and Accident Response and Reporting

Please refer to the DES Safety Manual for information on injury and accident reporting. It is important to report all injuries and illness to your supervisor immediately.

Workers' Compensation

DES carries insurance which covers work-related injuries and illnesses. The workers' compensation insurance carrier governs the benefits provided. These benefits will not be limited, expanded, or modified by any statements of DES personnel or DES documents. In the case of any discrepancy, the insurance carrier's documents will control.

Employees may report all work-related injuries or illnesses without fear of retaliation.

Weapons

Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of DES without proper authorization. DES recognizes state laws regarding weapon permits, including concealed permits. However, DES prohibits the possession of weapons on DES premises, in DES vehicles, or while on DES time regardless of any permit obtained by the employee.

Workplace Violence and Security

DES 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, customer, business partner, or DES property will

be acceptable. 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 DES premises, will be subject to discipline, up to immediate termination.

Employees share the responsibility of identifying and alleviating 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 a manager. Threats will be investigated and appropriate remedial or disciplinary action will be taken.

Job Site Safety

All employees are responsible for maintaining a safe work environment. Everyone is expected to follow safety procedures and to report any hazards or incidents immediately. Supervisors are responsible for ensuring their team is properly trained, equipped to perform their tasks safely, and for enforcing safety policies and procedures.

Please refer to the DES Safety Manual for full details on our safety requirements.

Inclement Weather and Outages

This policy establishes guidelines for DES operations during periods of extreme weather and similar emergencies. DES will remain open in all but the most extreme circumstances. Unless an emergency closing is announced, all employees are expected to report to work. However, DES does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each employee should exercise their best judgment with regard to road conditions and other safety concerns.

Designation of Emergency Closing

Only by the authorization of designated managers will DES cease operations due to emergency circumstances. If severe weather conditions develop during working hours, it is at the discretion of Management to release employees. Employees will generally be expected to remain at work until the appointed closing time.

Procedures during Closings

If weather or traveling conditions delay or prevent an employee's reporting to work, their immediate supervisor should be notified as soon as possible. If possible, such notification should be made by telephone conversation directly with the supervisor. If direct contact is not possible, leaving a detailed voicemail message or message with another employee is acceptable.

An employee who is unable to report to work may use any accrued time off or take the day off without pay.

Pay and Leave Practices

When a partial or full-day closing is authorized by Management, the following pay and paid leave practices apply:

- Non-exempt hourly employees will be sent home for partial days with the option of using paid time off for the remainder of the day. If paid time off is not available, employees will be excused from work without pay and without disciplinary action.
- Exempt employees will be expected to continue work from home if their job duties allow. DES will pay the exempt employee's regular salary regardless, as outlined in the Payroll Deductions policy.
- Exempt and non-exempt employees already scheduled to be off during emergency closings are charged such leave as was scheduled.

WORKPLACE GUIDELINES

Hours of Work

Employees are expected to be at their work area and ready to work at their scheduled time. Employees will be given their work hours upon hire and at the time of any change in position. DES's normal work hours are 7:30am to 5:30pm Monday through Friday. As a seasonal project-oriented business, normal work hours can fluctuate from week to week. If the normal work hours are changed or if DES changes its operating hours, employees will be given notice.

Peak Season

Although DES operates year-round, business volume and operational demand often decrease during winter months. For this reason, DES identifies "Peak Season" to be April 1 to November 14 annually.

Off-the-Clock Work

Non-exempt employees must accurately record all time worked, regardless of when and where the work is performed. Off-the-clock work is prohibited. No member of management may request, require, or authorize non-exempt employees to perform work without compensation. Any possible violations should be reported promptly to a member of management.

Meal Periods

Minor employees under age 18 who are scheduled to work five or more consecutive hours in one workday are entitled to take a non-compensated meal period each workday of 30 minutes.

Lactation Accommodation

DES provides a supportive environment to enable breastfeeding employees to express breast milk during work hours for up to one year following the birth of a child. Accommodations under this policy include a place, other than a bathroom, that is shielded from view and free from intrusion from co-workers and the public which may be used by an employee to express breast milk. Discrimination and harassment of breastfeeding mothers in any form is unacceptable and will not be tolerated.

Attendance and Tardiness

Employees are expected to be at work and ready to go when their scheduled shift begins or resumes. If an employee is unable to be at work on time, or at all, they must notify their manager no later than two hours before the start of their scheduled workday. If an employee's manager is not available, the employee should contact another member of management. If an employee is physically unable to contact DES, they should ask another person to make contact on their behalf. Leaving a message with a co-worker or answering service is not considered proper notification. Excessive tardiness or absences are unacceptable job performance.

When an employee calls in absent, they should provide their expected time or date of return. DES reserves the right to require proof of the need for absence, if allowed by law. If an employee is absent for three consecutive days and has not provided proper notification, DES will assume that the employee has voluntarily quit their position and will proceed with the termination process.

If an employee becomes ill during their scheduled workday and feels they may need to leave before the end of their shift, they should notify their manager immediately. If an employee is unable to perform their job at an acceptable level, they may be sent home until they are well enough to work.

Absences should be arranged as far in advance as possible. When an employee needs to be absent during the workday they should attempt to schedule their outside appointment or obligation so that their absence has the smallest impact possible on business operations.

Personal Appearance and Hygiene

Employees are expected to present a professional image, both through behavior and appearance. Accordingly, employees must begin each shift in DES logoed workwear; to represent DES in a clean and professional manner.

Employees are responsible for considering their level of customer and public contact and the types of meetings they are scheduled to attend in determining what attire is appropriate.

DES provides uniforms or uniform services to all employees. Each employee is expected to begin each shift in DES logoed attire unless otherwise directed by their manager.

Uniforms

Every employee will be provided DES logoed shirts to be worn when not enrolled in uniform services. Temporary and regular part-time employees will be given an additional shirt each month when averaging 40 hours each week.

Uniform Services

Full-time employees are enrolled in uniform services after 90 days of employment. Uniform Services consist of uniform pants and DES branded uniform shirts. Uniform Service garments are leased and laundered by a professional uniform provider.

The following are generally not acceptable:

- Bare feet, flip flops, and open toed shoes
- Spandex, sweats, or work out attire
- Sagging pants, shorts, or skirts
- Sexually provocative clothing or exposed undergarments
- Clothing with offensive slogans or pictures
- Clothing showing excessive wear and tear
- Any clothing or accessories that would present a safety hazard
- Visible tattoos that are not appropriate in content

All employees are expected to maintain appropriate oral and bodily hygiene. Hair (including facial hair) should be clean and neat. Accessories should not interfere with an employee's work. The excessive use of perfume or cologne is unacceptable, as are odors that are disruptive or offensive to others or may exacerbate allergies.

Managers are responsible for enforcing dress and grooming standards for their department. Any employee whose appearance does not meet these standards may be counseled. If their appearance is unduly distracting or the clothing is unsafe, the employee may be sent home to change into something more appropriate.

Reasonable accommodation will be made for employees' sincerely held religious beliefs and disabilities when such accommodations do not cause an undue burden. Employees who would like to request an accommodation or have other questions about this policy should contact their supervisor.

Confidentiality

Employees may not disclose any confidential information or trade secrets to anyone outside DES without the appropriate authorization. Confidential information may include internal reports, financials, client lists, methods of production, or other internal business-related communications. Trade secrets may include information regarding the development of systems, processes, products, design, instrument, formulas and technology. Confidential information may only be disclosed or discussed with those who need the information. Conversation of a confidential nature should not be held within earshot of the public or clients.

When any inquiry is made regarding an employee, former employee, client, or customer, the inquiry should be forwarded to a manager or Human Resources without comment from the employee.

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

Conflict of Interest

A conflict of interest arises when an employee is engaged in activity that could be detrimental to DES. This includes when an employee improperly uses their position with DES for personal gain or the gain of someone with whom they have a relationship. *Improper use* includes behavior that is illegal, as well as behavior that is unethical or questionable to a reasonable person. These are some examples of a conflict of interest:

- An employee requesting or requiring gifts or discounts in exchange for starting or continuing a business relationship with a client or vendor
- An employee selecting a relative's DES as a supplier when they have not produced the best proposal
- An employee taking a second job working for a competitor and sharing confidential DES information with the competitor
- An employee taking a second job that interferes with their ability to do their work for DES at their full potential, whether due to scheduling, exhaustion, or some other factor

Because how things appear, whether accurate or not, has a significant impact on DES's reputation, employees should also avoid the appearance of a conflict of interest. If questions arise as to whether a certain activity or behavior is a conflict of interest, employees should speak with their manager or HR.

Reporting Irregularities

Employees should immediately report any actual or suspected theft, fraud, embezzlement, or misuse of DES funds or property, as well as suspicious behavior. An employee who is aware of such activity but does not report it will be considered part of the problem and disciplined accordingly.

Reporting Damage to Property

Employees involved in or witness to property being damaged, regardless of who the property belongs, should immediately notify their manager and complete a written incident report within 24 hours.

Inspections and Searches

Any items brought to or taken off of DES premises, whether property of the employee, DES, or a third party, are subject to inspection or search unless prohibited by state law. Desks, lockers, workstations, work areas, computers, USB drives, files, e-mails, voice mails, etc. are also subject to inspection or search, as are all other assets owned or controlled by DES. Any inspection or search conducted by DES may occur at any time, with or without notice. Failure to submit to a search will be grounds for discipline.

Asset Training and Operating

Employees are required to observe DES policies and previous training when driving or operating DES vehicles and equipment; including but not limited to performing vehicle safety checks prior to operating any machine. Employees must bring safety concerns to their manager immediately.

Hardware and Software Use

The following guidelines have been established for using the Internet and email in an ethical and professional manner. For the purpose of this policy, DES Internet includes productivity software, instant messaging applications, DES cloud and networks, the intranet, and any other tool or program provided by or through DES or its internet connection.

- DES Internet and email may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing, or obscene nature.
- Telephones should only be used for DES business. Employees should be professional and conscientious at all times when using DES phones or when using a personal phone for DES business.
- Use of personal cell phones or other devices should be held to a reasonable limit. Reasonableness will be determined by management.
- Disparaging, abusive, profane, and offensive language are forbidden.
- Employees must respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy for reference only. Almost every piece of content is or could be copyrighted (a notice of copyright is not required), so employees should proceed with caution when using or reproducing materials.
- Unless necessary for work, employees should avoid sending or receiving large files, watching videos, mass-forwarding emails, or engaging in other activities that either consume large amounts of bandwidth or create electronic clutter.
- Employees may not download any programs, applications, browser extensions, or any other files without prior approval or upon request of a manager.
- Each employee is responsible for the content of all text, audio, or images they place on or send over DES's internet and email system. Employees may not send messages in which they are not identified as the sender.
- Email is not guaranteed to be private or confidential. DES reserves the right to examine, monitor, and regulate email messages, directories, and files, as well as internet usage.

- Internal and external email messages are considered business records and may be subject to discovery in the event of litigation.

All DES-issued hardware and software, as well as the email system and Internet connection, are DES-owned. Therefore, all DES policies are in effect at all times when they are in use. Access to the internet through DES's network is a privilege of employment that may be limited or revoked at any time.

Social Media

The Guiding Rule

Conduct that negatively affects an employee's job performance, the job performance of fellow employees, or DES's legitimate business interests—including its reputation and ability to make a profit—may result in disciplinary action up to and including termination.

Below are some guidelines for the use of social media. These guidelines are not intended to infringe on an employee's Section 7 rights and any adverse action taken in accordance with this policy will evaluate whether employees were engaged in protected concerted activity.

Avoiding Harassment

Employees must not use statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening, or intimidating toward customers, employees, or other people or organizations affiliated with DES. This includes, but is not limited to, posts that could contribute to a hostile work environment on the basis of race, sex, sexual orientation, disability, religion, national origin, or any other status protected by state or federal law.

Avoiding Defamation

Employees must not post anything they know or suspect to be false about DES or anyone associated with it, including fellow employees and clients. Writing something that is untrue and ultimately harmful to any person or organization is defamation and can lead to significant financial liability for the person who makes the statement.

Confidentiality

Employees must maintain the confidentiality of DES trade secrets and confidential information. Trade secrets include, but are not limited to, information regarding the development of systems, products, and technology. Private and confidential information includes, but is not limited to, customer lists, financial data, and private personal information about other employees or clients that they have not given the employee permission to share.

Representation

Employees must not represent themselves as a spokesperson for DES unless requested to do so by management. If DES is a subject of the content being created—whether by an employee or third party—employees should be clear and open about the fact that they are employed with DES but that their views do not necessarily represent those of DES.

Accounts

Employees must not use DES email addresses to register for social media accounts unless doing so at the request of management. Employees who manage social media accounts on behalf of DES should ensure that at least one member of management has all the login information needed to access the account in their absence.

Personal Cell Phone Use

The use of personal cell phones, or work cell phones for personal matters, should be held to a reasonable limit during work hours and not interfere with an employee's productivity or the productivity of their coworkers. Reasonableness will be determined by management.

Personal Property

DES is not liable for lost, misplaced, or stolen property. Employees should take all precautions necessary to safeguard their personal possessions. Employees should not have their personal mail sent to DES, as it may be automatically opened, and should check with their manager before having larger items delivered to the workplace.

Parking

All parking is at an employee's own risk. Employees and visitors should lock their vehicles and take appropriate safeguards to protect their valuables, including removing them from the vehicle if appropriate under the circumstances.

EMPLOYMENT SEPARATION

Resignation

DES requests that employees provide at least two weeks' written notice of their intent to resign. This notice should be submitted to an employee's manager. Dependent upon the circumstances, an employee may be asked to not work any or all of their notice period, in which case they will be allowed to use up to two weeks of accrued paid time off, if available, from the time notice is given. An exit interview may be requested.

Termination

All employment with DES is "at-will." This means that either DES or the employee can terminate the employment relationship at any time, with or without notice, and for any reason allowed by law or for no reason at all. An employee's at-will status can only be changed by written contract, signed by both the employee and the President or CEO.

Personal Possessions and Return of DES Property

All DES property, such as computer equipment, keys, tools, parking passes, uniforms or DES credit cards must be returned immediately at the time of termination. Employees may be responsible for any lost or damaged items. When leaving, employees should ensure that they take all of their personal belongings with them.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

By accepting and continuing my employment with Dan's Excavating Service, Inc ("DES"). I acknowledge and agree with the following:

I understand DES makes the Handbook available to me at any time via a web link I have been given, QR Codes positioned throughout the DES campus, or by submitting a written request to the DES office. I understand my employment is subject to the terms of the Handbook, including any future changes made in it by DES.

I understand DES may amend the Handbook from time to time, by publishing a revised version and notifying me of its availability for review.

I understand that DES has a separate Safety Manual and it is my responsibility to read, become familiar with, and follow the safety requirements described in the manual. DES may amend the Safety Manual periodically and I further understand the manual is published online for me to access at any time and it is my responsibility to stay up to date on all safety practices as they are published.

I understand no one is authorized to make an agreement with me which deviates from the terms of the Handbook or from any other DES policy, except through an authorized revision of the Handbook or by a written agreement signed by an authorized office of DES.

I understand the employment relationship between DES and all employees is "at will." This means either DES or I may terminate the employment relationship at any time, for any reason either party considers appropriate in their sole discretion.

I understand that should any provision in this handbook conflict with federal, state, or local law, that provision only will be considered ineffective, while the rest of the handbook remains effective.

All records, files, materials, and software I have access to in the course of my employment, and that relate to DES's business, are considered confidential. During and after my employment, I will neither disclose information nor use it for the benefit of any person or organization other than DES.

When my employment ends, or upon DES's request, I will immediately return all DES property and all materials that relate to DES's business.

If I owe DES any amounts at the time my employment ends (because of unpaid loans, unreturned property, repayment obligations, or other amounts, I agree that DES may deduct and withhold those amounts from any wages, bonuses, or other amounts that might otherwise by payable to me at or after the time my employment ends.

I agree that any claim or suit that relates to my employment with DES must be brought 1) within 180 days after the events giving rise to the claim, or 2) within the time limit specified by statute, whichever is shorter. I waive any statute of limitations that exceeds this time limit. I also agree that any such claim or suit will be deducted only by a judge and not by a jury, and I waive any right to a jury trial.

_____ _____

Signature Date

_____

Printed Name