

INTERCOUNTY PAVING ASSOCIATES, LLC

FIELD WORKERS

EMPLOYEE POLICY MANUAL

INDEX OF SUBJECTS

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EMPLOYMENT AT-WILL

All employees for Intercounty Paving Associates, LLC (“the Company”) are “at-will” employees. This means that your employment with the Company is for no definite period and is terminable at any time by either you or the Company with or without notice, for any reason or no reason. Specifically, the Company may terminate any employee without cause and with or without notice.

Any oral statements, promises or assurances to the contrary are not binding on the Company and should not be relied upon by employees or job applicants. The Company is not responsible for and will not be bound by, any oral statements that are not reaffirmed in writing by the Managing Member of the Company.

Statements in the employment application, this manual, training manuals, or other Company documents do not constitute or imply an employment contract and should not be relied upon by employees or job applicants under any circumstances as assuring employment or continued employment, as superseding the Company’s “at will” employment policy, or as creating or contributing in any way to a legal cause of action against the Company. The Company reserves the right to change, modify, interpret, add, administer and/or discontinue any of the benefits, policies or rules contained herein from time to time, with or without notice, at the maximum discretion of Management.

SECTION 1 THE COMPANY

Welcome to the Company. This manual provides information regarding policies and procedures of the Company. You will be accountable for knowledge of its contents and will be responsible for compliance with its requirements. Each recipient of the manual must agree to sign the Acknowledgement Form and return it to the Chief Financial and Administrative Officer, read the manual in its entirety as soon as possible after employment begins, update it as new sections or pages are issued, and return the manual to the Payroll/Human Resources Department upon termination of employment. Employees should raise any questions regarding the contents of this manual with their immediate supervisor or the Benefits Department.

Employees represented by a recognized Union should refer to their governing Collective Bargaining Agreement for the terms and conditions of their employment. In the event that there is a conflict between the terms of this manual and the Collective Bargaining Agreement, the Collective Bargaining Agreement shall prevail.

This manual supersedes any and all past guides, policies, practices, procedures, understandings and standards, either written or oral, express or implied. Every effort has been made to make this manual as comprehensive as possible. However, it cannot answer every question or anticipate every situation. Owing to ongoing changes in applicable governmental regulations and the needs of our organization to retain necessary operational flexibility in the administration of policies and procedures, we may, as necessary, change, eliminate, or add to existing policies procedures or benefits. When this happens, we will make every effort to notify you, however, the Company reserves the right to modify or change these policies at any time with or without notice. If you have any questions about any items covered in this manual, please speak with your supervisor or contact the Chief Financial and Administrative Officer.

The contents of this manual are presented as a matter of information only. This manual merely describes the Company's general philosophy concerning policies and procedures. These policies are not a contract and may be changed by the Company at any time with or without notice.

SECTION 2 EMPLOYMENT PRACTICES

Equal Employment Opportunity Policy

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Company will be based on merit, qualifications, and abilities. The Company does not discriminate in employment opportunities or practices on the basis of race, creed, color, religion, sex, marital status, national origin, age, disability, sexual orientation, citizenship status, or any other characteristic protected by federal, state, or local law.

Any employees with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of Human Resources. Employees may raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

Affirmative Action EEO Policy

Employees are directed to the Company's Affirmative Action EEO Plan/Disadvantage and Emerging Small Business Enterprise Program for an in-depth discussion regarding the Company's equal employment opportunity policy and affirmative action policy, and each employee is required to review and become familiar with these policies. A copy of the Company's Affirmative Action EEO Plan/Disadvantage and Emerging Small Business Enterprise Program can be obtained from the designated EEO Officer or your supervisor.

Anti-Harassment

The Company is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, we will not tolerate harassment of Company employees by anyone, including any executive, supervisor, co-worker, vendor or client of the Company. The Company will investigate any allegation of harassment, and if it is determined that harassment has occurred, the Company will take appropriate action, up to and including discharge.

Harassment of any type is conduct that will not be tolerated. Besides being against the law, it affects both the individual and the Company in ways which are completely unacceptable. For example, harassment has been shown to lead to deterioration of employee morale and organizational climate, lower productivity, higher costs from lower efficiency, increased absenteeism, damage to a company's public image, court awards and settlement costs.

Policy

The Company expressly prohibits any form of unlawful employee harassment based on race, color, creed, religion, national origin, age, sex, sexual orientation, disability, military status, marital status, predisposing genetic characteristics, domestic violence victim status, citizenship status, or any other characteristic protected under applicable federal, state or local law. Supervisors and managers are **obligated** to report complaints of sexual harassment or other form of harassment, whether by an employee, a customer, or a vendor to the Chief Financial and Administrative Officer or another member of Management. Harassment will not be tolerated whether the offender is a supervisor, co-worker, vendor, or customer, and will be dealt with accordingly.

The Company is committed to thoroughly investigate all reports of harassment and to take immediate and effective action where unlawful harassment has been found to occur.

Harassment

The type of behavior that constitutes unlawful harassment is not capable of precise definition. However, harassment generally consists of unwelcome conduct, whether verbal, physical, or visual, that:

1. Is based upon a persons protected status, such as race, color, creed, religion, national origin, age, sex, sexual orientation, disability, military status, marital status, predisposing genetic characteristics, domestic violence victim status, citizenship status, or any other characteristic protected under applicable federal, state or local law.
2. Creates an intimidating, hostile or offensive work environment or adversely affects another person's employment opportunities.

Harassment may include, but is not limited to, the following types of behavior:

- Repeated or offensive verbal commentary, including jokes and comments relating to a protected characteristic;
- Derogatory jokes based on a protected characteristic;
- Repeated name-calling or use of derogatory names based on a protected characteristic;

In addition, harassment based upon sex may include the following additional types of behavior:

- Conditioning (either explicitly or implicitly) the grant or denial of a work benefit or employment opportunity on submission to sexual activity.
- Unwelcome physical contact, including, but not limited to, grabbing, hugging, kissing, massaging, tickling, unnecessary touching, etc.
- Repeated or offensive sexual flirtations, advances or propositions.

- Repeated or offensive verbal commentary, including sexually graphic jokes, comments relating to sexual activity, graphic comments about an individual's body parts, or other matters of a sexual nature based on a protected characteristic.
- Staring at a person's body in a sexually suggestive manner.
- Sexually related gestures or motions.
- Display of sexually suggestive or derogatory written matter.

Sexual harassment can result from the conduct of a male to a female, a female to a male, or between persons of the same sex.

General Prohibition

All employees are to refrain from engaging in such prohibited conduct while on Company premises, while engaging in work-related activities, while attending Company-sponsored training or other functions, and while at non-Company activities where such conduct would affect the work environment. Harassment will not be tolerated whether the offender is a supervisor, a co-worker, a vendor, or a customer, and will be dealt with accordingly.

Disciplinary Action

The Company will not tolerate harassment by anyone, of anyone. Any employee found to have committed acts that constitute workplace harassment, in the opinion of the Company, will be subject to disciplinary action, up to and including termination and other action.

Avoiding Harassment in the Workplace

It is the Company's fundamental policy to prohibit harassment by any employee, supervisor, client or vendor on the basis of sex or because of any other personal characteristic, such as sexual orientation, color, race, creed, ancestry, religion, national origin, age, physical handicap, medical condition, disability, domestic partner or civil union status, marital status, veteran status, citizenship status or any other characteristic protected by law. The purpose of this policy is not to regulate our employees' personal morality. Rather, it is to ensure that, in the work place, no one harasses another individual.

Every employee will be held accountable for accomplishing our goal of maintaining a harassment-free workplace. We strongly encourage anyone who feels that he or she has been subjected to discrimination or harassment or who becomes aware of possible harassment of a fellow employee to immediately report the matter to his or her immediate supervisor, or the Chief Financial and Administrative Officer. Every report of actual or perceived harassment will be investigated in the most confidential and nonintrusive manner possible and corrective action will be taken where appropriate. You may be requested to prepare a written statement of the incidents which prompted your complaint. No one will be retaliated against for making any report under this policy.

Violations of this policy will not be permitted and will result in appropriate discipline up to and including termination.

The Company Prohibits Retaliation

The Company encourages employees to report incidents of harassment without fear of reprisal. The Company will not take disciplinary action or retaliate against employees raising allegations of harassment or who cooperate in the investigation of such complaints in accordance with the policy, except in those limited circumstances where there is evidence that no harassment has occurred and that the allegation was raised purely for retaliatory, vindictive, or other impermissible reasons on the part of the complaining or reporting employee, or that false or misleading information was deliberately provided to the investigator.

Americans with Disabilities Act

The Company complies with, and fully supports, the Americans with Disabilities Act and applicable state and local laws. No one will be denied any employment opportunity including, but not limited to, hiring promotion, or transfer, or discriminated against with respect to any term or condition of employment on the basis of a disability.

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

Employees with questions or concerns about any issue that might be governed by the Act or this policy are encouraged to contact the Chief Financial and Administrative Officer.

Reasonable Accommodation for Religion

Upon reasonable notice, the Company will make reasonable accommodations for applicants or employees who have particular religious needs or who are subject to particular religious prohibitions, to the extent required by law. Any applicant or employee who requires a religious accommodation should advise his/her supervisor of what accommodation is needed. For full-time employees, any time taken off for religious observances during such time as the Company is officially open for business may be charged against such employee's vacation or sick/personal time or an unpaid leave, at the employee's option.

Genetic Information Discrimination

Our Company strictly prohibits discrimination based on genetic information. The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA from requesting or requiring genetic information of employees or their family members. In order to comply with this law, we are asking that you not request or provide any genetic information in the workplace, or to representatives of the company at any time. "Genetic Information," as defined by GINA, includes an

individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

CEPA Policy (For New Jersey Employees Only)

The Company shall not take any retaliatory action against an employee because the employee does any of the following:

- a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the Company or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
- b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the Company or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care;
- c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the Company or any governmental entity;
- d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the Company or any governmental entity;
- e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
 1. is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
 2. is fraudulent or criminal; or
 3. is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment.

The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the Company a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the Company or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergent in nature.

The Company has designated the Chief Financial and Administrative Officer as the designated person to receive employee complaints under this policy. Employees with questions or concerns about any issue that might be governed by the CEPA or this policy are encouraged to contact the Chief Financial and Administrative Officer.

Immigration Law Compliance

The Company is committed to employing only United States citizens and aliens who are authorized to work in the United States, and does not unlawfully discriminate on the basis of 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. Documentation is required within three (3) business days of a new employee's starting date. Former employees who are re-hired must also complete the form if they have not completed an I-9 with the Company within 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 their supervisor. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

The Company reserves the right to terminate any employee who provides false documentation in order to secure employment.

Probation

New employees will be on probation until they have completed three months of service with the Company, and have received a review from their foreman/supervisor. If your supervisor feels that you are not making the progress you should be making during this probationary period, he/she will discuss this with you and should your performance not improve, in the discretion of management, your employment may be terminated. Completion of the probationary period does not alter the continuing at-will status of the employee and in no way guarantees continued employment with the Company.

SECTION 3 COMPANY PROPERTY

Confidential Information

EMPLOYER INFORMATION AND PROPERTY IS TO BE KEPT CONFIDENTIAL.

The protection of Company business information, property and all other Company assets are vital to the interests and success of the Company. No Company-related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies, salary information, medical data, customer lists, strategic plans, pre-bid calculations, pricing information, payroll documents, marketing materials, employee files, vendor contracts or similar materials (except in the ordinary course of performing duties on behalf of the Company) may, therefore, be removed from the Company's premises. In addition, when an employee leaves the Company, the employee must return to the Company all Company-related information and property that the employee has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or other electronic storage device, supplies, equipment, or office supplies. Violation of this policy is a serious offense and will result in appropriate disciplinary action, up to and including termination. In addition, violation of this policy may result in civil and/or criminal prosecution.

Social Security Number Privacy Policy

Objective

The Company is committed to protecting the privacy of individuals whenever appropriate. The Company also has a legal obligation to protect certain types of data, including but not limited to Social Security Numbers. Social Security Numbers are unique nine digit numbers issued to individuals in the United States by the U.S. Government. This policy addresses the Company's obligation to company with various state and federal laws, rules, and regulations.

Collection, Use, and Disclosure

You should only collect, use and disclose Social Security Numbers for legitimate business reasons consistent with this policy, such as:

- Pre-employment background check of company job applicants;
- Verification of eligibility for company employment;
- Company tax reporting;
- New company hire reporting;
- Enrollment or administration of company employee benefit plans;
- Credit check of company customers; and
- Inclusion in company products and services provided that those products and services meet all legal requirements for collection, storage, and distribution of such information.

Handling

The following activities with regard to Social Security Numbers are expressly prohibited:

- Mailings to an individual containing his/her social security number, unless the inclusion of the Social Security Number on the document is required by law;
- Mailings or fax transmissions to any other recipient if the document contains more than four sequential digits of a Social Security Number, unless expressly allowed or required by law or the mailing or transmission is:
 - Part of a company product or service, provided that the mailing or transmission meets all applicable legal requirements;
 - Expressly requested by the individual whose Social Security Number appears in the mailed document; or
 - Sent in connection with an ongoing administrative use in the ordinary course of business in order to:
 - Process an application or form initiated by the individual;
 - Confirm the accuracy of a Social Security Number or the entitlement of an individual who is employed by the Company;
 - Verify an individual's identity, identify or authenticate an individual, or accomplish another similar administrative purpose related to an existing or proposed employment, transaction or service;
 - Investigate an individual's claim, credit, criminal, or driving history or for employment background screening purposes;
 - Detect, prevent, or deter identity theft or another crime;
 - Lawfully pursue or enforce the Company's legal rights;
 - Comply with a law, or court or government order; or
 - Provide, administer or contract for employee health and welfare benefits, claims, or retirement programs or to administer the ownership of share of stock or other investments.
 - If documents with more than four sequential digits of a Social Security Number are sent through the mail, the number must not be visible from the outside of the envelope or package. If documents with more than four sequential digits of a Social Security Number are sent via fax, the number must be beneath a cover sheet with a reasonable confidentiality legend.
- You must not publicly post or display more than four sequential digits (three in New Jersey) on documents or materials designed for public view (i.e., employee rosters, bulletin boards, or computer screens in public view);
- You must not require any person to visibly display more than four sequential digits of a Social Security Number on any documentation that employees or others may be required to carry or display (i.e., identification cards, badges, time cards, permits, licenses);
- You must not use more than four sequential digits as an employee or customer identification number, including a website or phone system user identification number; and

- You must not require an individual to transmit more than four sequential digits of his or her Social Security Number over the Internet or other computer system or network, unless the connection is secure or the transmission is encrypted.

Other activities may be prohibited if they are contrary to the law in any controlling jurisdiction. It is your responsibility to seek clarification and guidance in case of any questions about the proper use of Social Security Numbers. You may contact the Chief Financial and Administrative Officer with any questions you may have.

Storage

You must store all documents containing Social Security Numbers in a secure manner. Social Security Numbers may not be stored on computing devices or media that exist outside of a secure data center facility. This policy also covers storage of Social Security Numbers in e-mails or e-mail attachments saved to personal folders. E-mails that contain Social Security Numbers may only be saved to personal folders that exist on servers within a secure data center facility.

Access

If you use documents (including electronic and print records) containing Social Security Numbers for any purpose, you must limit access to those documents. In particular, you may only disclose documents containing Social Security Numbers to:

- Individuals within the Company who have a business need to know the Social Security Numbers;
- Third parties who process the Social Security Numbers on the company's behalf, such as payroll processors, benefits providers, or company contractors who need access to the Social Security Numbers in order to provide their services, provided that these third parties have a contractual or legal duty to protect the Social Security Numbers;
- Third parties who provide legal, accounting and other advisory services to the Company, provided that these third parties have a contractual or legal duty to protect the Social Security Numbers;
- Government agencies, for require reporting purposes;
- The individual to whom the Social Security Number pertains, or the individual who provided the Social Security Number to the company (such as to an employee who has provided family-member Social Security Numbers for benefits purposes);
- Third parties who are qualified commercial, professional or government agency customers of the Company, when the Social Security Number is contained in Company products that the customers are authorized to receive in accordance with law and the product terms; and
- Any person, if the Company is required by law to make the disclosure (such as in response to subpoenas or court orders) or if the individual to whom the Social Security Number pertains consents to the disclosure.

When you provide Social Security Numbers to their parties, you must make sure adequate protective measures are in place to protect the confidentiality and integrity of the data. If you use documents containing Social Security Numbers, you must take appropriate steps to secure those documents.

Disposal

You should retain documents containing Social Security Numbers in accordance with applicable document retention policies and practices as required by law. When you are allowed to dispose of media containing Social Security Numbers, you should do so securely and safely by incineration, shredding, or by irretrievable erasure from computer media.

Incident Reporting

You must report any known or suspected Security Breach (accidental or otherwise) immediately to the Chief Financial and Administrative Officer for appropriate investigation and handling. For purposes of this policy, "Security Breach" means any incident that compromises the security, confidentiality, or integrity of (i) any Social Security Number or (ii) any system or document containing a Social Security Number.

Disciplinary Actions

Because of the sensitivity of Social Security Numbers, the possible harm that could come to individuals from exposure of Social Security Numbers, and the possible legal and reputational consequences for the Company if Social Security Numbers are misused, and employee who knowingly obtains, uses or discloses Social Security Numbers for unlawful purposes or contrary to the requirements of this policy is subject to discipline up to and including termination and/or legal proceedings.

Safety and Security and Incident/Accident Reporting

An employee is expected to exercise care in his or her use of Company property including but not limited to vehicles, construction equipment, computer and electronic equipment and to use such property only for authorized Company purposes. Negligence and improper use of Company property will be considered cause for fines, suspension and/or dismissal. The use of Company property, which has not been approved by Company Management, will be considered as improper use. Unauthorized use and removal of Company property including but not limited to equipment, materials, tools, electronic storage devices, programs and files from the premises/projects or its conversion to personal use will also be considered cause for penalties, suspension and/or dismissal and legal action.

Firearms, fireworks, and weapons of any kind are not allowed on company property or project sites. Anyone found with a firearm, firework, or weapon will be subject to discipline, up to and including termination, and notification of local police authorities.

Personal injuries, accidents, and damage to Company property on the jobsite, while in transit, or in the office, MUST be reported by the employee in writing on the approved company Incident Report form, and to your foreman/supervisor immediately. The foreman/supervisor must immediately make a full report of the incident to the Director of Safety. Failure to comply with this policy will result in discipline up to and including termination.

Company Vehicles

In addition to complying with the above general safety policy regarding the use of Company vehicles, employees using Company vehicles are responsible for the following:

- Maintaining any logs, including miles logs, required by the Company or by law;
- Completing and submitting accident reports in an accurate and timely fashion per company policy;
- Cleaning and washing the vehicle on a regular basis at the employee's expense;
- Performing proper maintenance on the vehicle, and scheduling proper maintenance on the vehicle with the Equipment Manager;
- Ensuring that any repairs necessary are brought to the attention of the Equipment Manager.

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

Personal Protective Equipment

The purpose of the Personal Protective Equipment Policy is to protect the Company's employees from exposure to work place hazards and the risk of injury through the use of personal protective equipment (PPE). PPE is not a substitute for more effective control methods and its use will be considered only when other means of protection against hazards are not adequate or feasible. It will be used in conjunction with other controls unless no other means of hazard control exist.

Personal protective equipment will be provided, used, and maintained when it has been determined that its use is required to ensure the safety and health of our employees and that such use will lessen the likelihood of occupational injury and/or illness.

Employees using PPE are responsible for following the requirements:

1. Properly wearing PPE as required.
2. Attending required training sessions, if instructed to do so by their supervisor.
3. Properly caring for, cleaning, maintaining, and inspecting PPE as required.
4. Following Company PPE policies, rules, and safety directives, and any rules or directives of the federal or state DOT's regarding PPE.
5. Following all applicable federal, state and local safety laws, including OSHA.
6. Informing the supervisor of the need to repair or replace PPE.

It is important that all PPE be kept clean and properly maintained. Cleaning is particularly important for eye and face protection where dirty or fogged lenses could impair vision. Employees must inspect, clean, and maintain their PPE according to the manufacturers' instructions before and after each use. Supervisors are responsible for ensuring that users properly use and maintain their PPE in good condition.

Personal protective equipment must not be shared between employees until it has been properly cleaned and sanitized. PPE will be distributed for individual use whenever possible.

If employees provide their own PPE, they are responsible for making sure that it is adequate for the work place hazards, and that it is maintained in a clean and reliable condition.

Defective or damaged PPE should not be used and should be immediately discarded and replaced.

Employees who repeatedly disregard and do not follow PPE policies and rules will be subject to discipline up to and including termination of employment.

Searches/Monitoring

Whenever necessary, in the Company's discretion, job sites, work areas (e.g. desks, closets, lockers, storage or file cabinets, etc.) personal belongings (e.g., brief cases, handbags, backpacks, etc.), and Company-owned vehicles may be subject to a search without notice. The Company also reserves the right to search privately-owned vehicles parked on Company property. Employees are required to cooperate.

Employees may be to subject to video monitoring while on Company property or at job sites to the extent permitted by law. Employees, therefore, should not have an expectation of privacy while on Company property or at job sites.

The Company will generally try to obtain an employee's consent before conducting a search of work areas, personal belongings, and privately-owned vehicles parked on Company property, but may not always be able to do so.

Computers, E-Mail, And Electronic Equipment

The Company provides its employees with Internet access and electronic communications (e-mail) services as required for the performance and fulfillment of job responsibilities. Employees must understand that this access is for the purpose of increasing productivity and not for non-business activities. Employees must also understand that any connection to the Internet offers an opportunity for non-authorized employees or other users to view or access corporate information. Therefore, it is important that all connections be secure, controlled, and monitored.

All computer, electronic, and telephonic documents, and communications transmitted by, received from, or stored in the Company's equipment are the property of the Company. They are not the private property of any employee.

Company-owned computers, software, and other business equipment, including facsimiles, telecopiers, copy machines, telephones, smart phones, Blackberries, PDAs and other electronic equipment are to be used for business purposes. If there is a need to use such equipment for personal reasons, employees may use the Company's equipment on a limited basis, provided such use does not interfere with the employees' work or business operations.

Issuance of Mobile Devices and Smart Phones/Devices to Exempt Employees: It is Company policy to restrict issuance of Company-owned telephones, Blackberries, and other smart phones or PDAs to exempt employees. Exceptions to this policy will only be made under specific circumstances, to be determined by management, where it is determined that a need exists for issuance of such a device to a non-exempt (i.e. hourly) employee. Those non-exempt employees who are authorized to receive and use company owned telephones, Blackberries, smart phones, and other PDAs may use these instruments only within the hours they are scheduled to work, and any other use is only permitted with prior authorization of their manager or supervisor, at risk of discipline up to and including termination.

An employee's computer file and electronic and telephonic communications are not private and the Company may inspect or monitor them at any time, at the Company's discretion.

Monitoring of Employee Use of Employer Equipment: When using the Company's computers and other electronic equipment, including E-Mail, employees have no right to privacy and will not expect privacy. The Company reserves the right to monitor the Company's equipment at any time, with or without warning from the Company. The Company also specifically reserves the right to monitor electronic messages sent or received with personal, password-protected, web-based email accounts when Company computers and other electronic equipment are used, and further reserves the right to forensically retrieve such electronic messages which have been deleted from a Company computer or other electronic equipment. This policy does not apply to confidential and protected attorney-client communications between an employee and his or her private attorney not representing the Company.

The Company reserves the right to and intends to inspect and monitor, review, audit, intercept, access and disclose any incoming and outgoing correspondence received or sent by an employee to or from the Company's premises, or received or sent using the Company's equipment, or that is received or sent via a messenger or service that is paid for or subsidized by the Company. This right extends to all internal and external mail, messages, electronic messaging, service accounts, voicemail, voice messaging, and any correspondence service that is paid for or subsidized by the Company. The contents of electronic communications properly obtained for legitimate business purposes may be disclosed within the Company without the permission of the employee.

Monitoring under this policy may proceed without the employee's knowledge. Supervisors, managers, and officers of the Company are the only persons permitted to do such monitoring. They will keep confidential any information obtained from such monitoring and share it only with persons who have a need to know. If during such monitoring the Company discovers that the employee has violated the policies and procedures of the Company, the Company may discipline the employee, up to and including termination of employment.

The confidentiality of any message should not be assumed. Even when a message is deleted, it is still possible to retrieve and read that message. Further, the use of personal passwords for security does not guarantee confidentiality.

Notwithstanding the Company's right to retrieve and read any electronic communications such communications should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any electronic communications that are not sent to them. Any exception to this policy must receive prior approval by the Company.

You are to use your assigned password or codes in all appropriate applications. You are not to share your passcode or codes with anyone. You are not to use a passcode or codes not assigned to you by your supervisor. Employees shall not use a code, access a file, or retrieve any stored information, unless authorized to do so. Employees should not attempt to gain access to another employee's messages without the latter's permission.

Employees who are authorized to work with confidential information on the Company's computers will keep such information confidential. Such confidential information may include, without limitation, social security numbers, taxpayer identification numbers, drivers' license numbers, date(s) of birth or information pertaining to Company or individual credit and/or debit card numbers. Other employees will not access such information, and if inadvertently they gain access to confidential information, they will immediately exit from the document or program and will keep such information confidential and notify both his or her supervisor and IT personnel. Your supervisor will assign you a pass code or codes to use when you use the computers, e-mail, and the Internet in performing your job duties. All employees must maintain the confidentiality of such confidential information as well as other Company proprietary data to which they have access and understand that such information and data is restricted to only those with a business need to know.

Employees using Company-owned computers away from the Company's premises to access computers on the Company's premises are to use caution to protect their computers and the content of their computers from damage or theft. Because of the risk of theft of computers and files, employees are not to store on their computers away from the Company's premises sensitive or confidential information, or information that could be used by others to damage the Company's interests.

Because of the risk of importing viruses into the Company's computer equipment, employees are not to import to the Company's computer equipment hard drives files or documents that are created outside the Company's premises until the document or file is first scanned for viruses by the computer's anti-virus program. Employees must ensure the Company-issued virus-protection software is enabled at all times and is kept up-to-date. Employees must also ensure that all security updates of the operating system and application software are applied as issued.

Playing computer games on Company-owned equipment, at any time, is discouraged, whether on or off duty. Employees will not bring discs, CDs, tapes, flash drives, or any other electronic data storage device from outside into the workplace. Employees will not remove from the workplace discs, CDs, tapes, flash drives, or any other electronic data storage device or other equipment or property belonging to the Company. Any deviation from this policy requires authorization of a supervisor or member of management.

Internet Usage

The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and/or inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Merely having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk. The Company is not responsible for material viewed or downloaded by users from the Internet. To minimize these risks, your use of the Internet at the Company is governed by the following policy:

Permitted Use

All Employees have a responsibility to use the Company's computer resources and the Internet in a professional, lawful and ethical manner. The Internet, Worldwide Web and e-mail system of the Company is primarily for business use. Occasional and reasonable personal use is permitted, provided that this does not interfere with the performance of work duties and responsibilities, and does not otherwise violate the policies contained herein.

Employees may send and receive e-mail attachments that do not exceed 2 MB in size, provided that all attachments are scanned before they are opened by the Company's chosen antivirus software.

The Company requests that personal e-mail not be read at work and that any personal e-mail you receive be forwarded to a non-business account to be viewed at your leisure.

Prohibited Use

The Company's Computer & Electronic Equipment Use Policy cannot lay down rules to cover every possible situation. Instead, the policy is designed to express the Company's philosophy and set forth general principles employees should apply when using

electronic media and services that are accessed on or from the Company's premises, accessed using Company computer equipment or via Company-paid access methods, or used in a manner that identifies the individual with the Company.

Employees shall not use the Company Internet or e-mail services to view, download, save, receive, or send material related to or including:

- Offensive content of any kind, including pornographic material
- Promoting discrimination on the basis of race, creed, color, sex, gender, national origin, age, marital status, sexual orientation, religion, disability, citizenship status, or any other characteristic protected by law
- Threatening or violent behavior
- Illegal activities
- Commercial messages
- Messages of a religious, political, or racial nature
- Gambling
- Sports, entertainment, and job information and/or sites
- Personal financial gain
- Forwarding e-mail chain letters
- Spamming e-mail accounts from the Company's e-mail services or Company machines
- Material protected under copyright laws
- Sending business-sensitive information by e-mail or over the Internet
- Dispersing corporate data to the Company's customers or clients without authorization
- Opening files received from the Internet without performing a virus scan
- Tampering with your company handle in order to misrepresent yourself and the company to others
- Creating offensive or disruptive messages, including but not limited to any messages which contain sexual implications, racial slurs, gender-specific comments or any other comment that offensively addresses someone's age, sexual orientation, religious or political beliefs, national origin, citizenship status, or disability.
- Sending or receiving copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization.
- Overloading networks with excessive data or wasting the Company's other technical resources, for example watching streaming videos or listening to streaming audio.

In addition:

- Employees are not to transmit material on the Company's equipment in violation of any State or Federal law or government regulation.
- Employees will only utilize Company-owned computers to connect to the Company network and to other Company computers, whether inside the Company premises or outside.

- Employees will not download any online document or software from the Company network without authorization of a supervisor and in performance of his or her job. All pass codes are the property of the Company. Employees will use only the pass code issued to them and will use no pass code unknown to the Company. Such access will cease upon termination.

Responsibilities

The Company's employees are responsible for:

- Reviewing and adhering to this Policy.
- Honoring acceptable use policies of networks accessed through the Company's electronic communication, Internet and e-mail services
- Abiding by existing federal, state, and local telecommunications and networking laws and regulations
- Following copyright laws regarding protected commercial software or intellectual property
- Minimizing unnecessary network traffic that may interfere with the ability of others to make effective use of the Company's network resources
- Not overloading networks with excessive data or wasting the Company's other technical resources
- Taking reasonable care to protect their information from others by password protecting their account and PC and not sharing their password with anyone.
- Immediately informing the Director of IT if they believe that another person has knowledge of their password

Violations

Any employees who discover a violation of this policy must notify their supervisor, the Chief Financial and Administrative Officer or the Director of IT immediately.

Violations will be reviewed on a case-by-case basis. Any employee who violates this policy or uses a Company computer and/or electronic equipment for improper purposes shall be subject to discipline, up to and including termination, and any other appropriate legal remedy.

Social Media and Networking

At the Company we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. The use of social media, however, also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

This policy applies to all employees who work for the Company.

Guidelines

In the rapidly expanding world of electronic communication, *social media* can mean many things.

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with the Company, as well as any other form of electronic communication.

The same principles and guidelines found in the Company policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects the Company's legitimate business interests may result in disciplinary action up to and including termination.

Know and Follow the Rules

Carefully read these guidelines, the Company's Confidential Information Policy, and Anti-Harassment Policy, and ensure your postings are consistent with these policies.

Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence, insubordinate, or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be Respectful

The Company recognizes the benefits associated with electronic communications via social media. All employees are responsible for communicating with appropriate business decorum. Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of the Company. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, co-workers, or suppliers, or that might constitute harassment 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, creed, color, national origin, marital status, sexual orientation, sex, disability, religion, citizenship status, or any other status protected by law or company policy. Malicious statements are those made with the intent or desire to harm someone or done with an evil intent.

Be Honest and Accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered.

Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about the Company, fellow employees, people working on behalf of the Company or competitors.

Post Only Appropriate and Respectful Content

- Maintain the confidentiality of the Company trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities.
- Do not create a link from your blog, website, or other social networking site to a Company website without identifying yourself as a Company employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for the Company. If the Company is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of the Company, co-workers, suppliers or people working on behalf of the Company. If you do publish a blog or post online related to the work you do or subjects associated with the Company, make it clear that you are not speaking on behalf of 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.”

Using Social Media at Work

Reasonable personal use of social media sites while on work time or on equipment we provide is permitted. Excessive use, or use that inhibits, hinders, or adversely affects your job performance will be treated as any other performance related problem.

Do not use Company email addresses to register on social networks, blogs or other online tools used for personal use, unless it is work-related as authorized by your manager.

Employees are prohibited from providing recommendations, or otherwise commenting on the job performance (positively or negatively) of a co-worker, subordinate, or any other employee of the Company, past or present. All references and recommendations must be handled through the appropriate channels and consistent with the Company’s policy on job references; all appraisals on an employee’s job performance must be handled via the Company’s formal performance review process, consistent with our performance review policy.

Ownership of social media accounts

If a social media profile links to an employee's Company-provided email address, the Company owns that social media profile, and at the end of that employee's tenure with the Company, the employee must provide the login and password information to the Chief Financial and Administrative Officer upon leaving the Company's employment. If, on the other hand, an employee's account is mixed purpose (business and personal), or a business-only account linked to the employee's personal email, at the conclusion of an employee's tenure with the Company he or she must leave with the Chief Financial and Administrative Officer a list of all friends, followers, and connections on Facebook, twitter, LinkedIn, and any other social networks in use. Additionally, all departing employees must provide their social media contacts with a redirect option, including a statement that the employee is no longer affiliated with the Company, and the name, social network, and user name of the new person to follow.

Retaliation is prohibited

The Company prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Photographs and Likeness

Periodically, the Company may obtain photographs, videos, or other likenesses of its employees at Company-related events, such as outings, holiday parties, and charitable events. If an employee does not want his or her photograph, video, or other likeness recorded at such an event, posted on our Company website or any social networking site (such as the Company's Facebook page or twitter feed), the employee must inform the human resources department in writing.

Media contacts

Employees should not speak to the media on the Company's behalf without contacting the Chief Financial and Administrative Officer. All media inquiries should be directed to the Chief Financial and Administrative Officer.

Affect of Certain Laws

Nothing in this policy is intended to interfere with employee rights to self-organize, form, join, or assist labor organizations, to bargain collectively through representatives of their choosing, or to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, or to refrain from engaging in such activities.

For more information

As with all of policies, the interpretation of this Social Media Policy is within the sole discretion of management, and the Company reserves the right to alter, amend, modify, revoke, suspend or terminate all or any part of this Social Media Policy, at any time, in its sole discretion, with or without notice. If you have questions or need further guidance, please contact the Chief Financial and Administrative Officer.

SECTION 4 ON THE JOB CONDUCT

Compliance and Enforcement of Wage and Hour Laws

Local and Federal laws govern employee wages in a variety of ways, such as setting minimum wage requirements through Minimum Wage Laws and Prevailing Wage Laws. It is the Company's fundamental policy to comply with all Federal, State and local Wage and Hour laws. Because the laws are change frequently and vary considerably from state-to-state, an exhaustive review of each potentially relevant Wage and Hour law would not appropriate for this handbook; each state has a specific agency that enforces Wage and Hour laws and employees are encouraged to consult those agencies to determine which laws apply to their particular type of employment. All employees are strongly encouraged to immediately report any suspected violation of Wage and Hour law or retaliation related to reports of the same to his or her immediate supervisor, or the Chief Financial and Administrative Officer.

An employee should not assume the Company is aware of his/her concern; it is the Company's policy to comply with all Wage and Hour laws, so any violation is likely an unnoticed mistake on the part of the Company and the employee is responsible for bringing it to the attention of the Company.

No Retaliation: The Company will not tolerate unlawful retaliation directed against employees who make complaints related to potential Wage and Hour violations. It is the right of the employee to bring the complaint or concern to the attention of the Company.

The Company will promptly investigate complaints of Wage and Hour violations or retaliation and will take prompt remedial and/or disciplinary action as is appropriate under the circumstances. Employees are expected to cooperate with the Company's efforts to investigate such complaints. All such investigations will be kept confidential to the fullest extent possible.

The Company is confident that complaints of Wage and Hour violations can be resolved internally as set forth above. Please contact the Chief Financial and Administrative Officer if you have any questions regarding this policy.

Timekeeping

Accurately recording time worked is the responsibility of every employee. Federal and state laws require the Company to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees must be paid for all time worked. The Company cannot and will not accept a non-exempt employee's offer to work for free whether during their regular shift, overtime, from home, or anywhere else. No one at the Company is authorized to require off-the-clock work of a non-exempt employee. If a non-exempt employee

performs work outside normal clock-in/clock-out time, he/she must record and report the time in accordance with Company procedures and the employee must be paid for this work. State and federal law provide that all work time must be paid even if the work was not authorized by a supervisor or if the employee was instructed not to do the work, however, such conduct on the part of the employee may subject him or her to disciplinary action.

It is your responsibility to follow the standard policies and procedures regarding recording and reporting of time worked that applies to your specific job. If you have any questions regarding the standard policies and procedures that are applicable to you, contact your immediate supervisor.

Truck Driver Timekeeping

1. As per usual practice, the daily drivers time sheet will be used by each employee to keep track of their time. These daily time sheets will be utilized to process the payroll at the end of each pay period. All information required to be filled in on the daily time sheet must be recorded accurately and completely. Properly completed timesheets ensure the payroll will be processed accurately by the Company. Incomplete or inaccurate information on the time sheet will result in the time sheet being returned to the employee to properly complete
2. Employees will sign the daily time sheet and verify its accuracy. The employee will turn over the daily time sheet to his/her supervisor daily. The supervisor will review the time sheet for accuracy and approve the time sheet and forward to the payroll department for processing. Time records are considered official records, and employees are responsible for reviewing and certifying the accuracy of their daily time records.
3. In addition to the drivers' daily timesheet, the employee is also required to fill out other required forms as part of their daily responsibilities, and required by USDOT/FMCSA law.

Construction Worker Timekeeping

1. Construction workers generally work in crews with a foreman. The foreman is responsible for the workers in his/her crew, and is the field person responsible to record and report the time for the entire crew each day. Each worker must report to their foreman the hours he/she worked each day, the type of work performed, and confirm with the foreman that his/her time is correctly reported on the proper company timesheet. In the event a construction worker is working alone, they are to properly complete a daily timesheet on the approved company form and submit to their foreman each day.
2. Foremen are responsible for the performance of work by their crews, and are responsible to complete the daily time reports for their crew each day. The time reports are to be completely filled in with all the information requested on the time report, and approved and signed by the foreman.

3. Each day the foreman must turn over their daily time reports to the Project Superintendent, or in the case of Milling and Paving crews, to the Milling or Paving Superintendent. The daily time reports are then approved by the appropriate Superintendent, and delivered to the payroll office for processing.

Mechanic and Maintenance Worker Timekeeping

1. Mechanics and Yard workers report to the shop and are required to punch a time card at the start and end of each shift. Mechanics must also complete a daily time report for each day worked listing the equipment they worked on, the tasks performed on each piece of equipment, and the time spent working on each piece of equipment. This daily report and the time card are approved by the Shop Superintendent, and turned in to the payroll department each week to process the weekly payroll. Mechanics who perform covered work on prevailing wage projects are required to complete their daily time sheet with the time actually spent working on the prevailing wage site and the work that was performed so they can be properly paid any applicable prevailing wage rates.
2. In addition to the daily time report and the time card, mechanics are required to complete a Work Order for each piece of equipment worked on, the task performed and the parts utilized. These reports are for maintenance purposes and are required.

Employee payroll is processed weekly. The payroll week is a seven (7) day period which begins on Monday and ends on Sunday. Pay checks are issued weekly on Friday, or five (5) days after the payroll week ends. Along with the weekly employee paycheck issued each Friday, the employee will receive a detailed payroll report detailing the projects he/she worked on for the pay period, the wage classifications, rates of pay, including PWA prevailing wage rates, cash fringes and cost of company provided benefits, if applicable, and in the case of union workers the union benefit. The detailed payroll report provides all the necessary information for the employee to verify that he/she received the proper wages for the payroll period.

Please remember that time records are official records, and employee time worked must be recorded accurately. Accordingly, it is imperative that time records reflect the actual hours worked by non-exempt employees. Non-exempt employees are responsible for reviewing and certifying as to the accuracy of their daily time records on the appropriate Company form.

If you believe your time records are not recorded accurately, you must notify your foreman/supervisor or the Chief Financial and Administrative Officer as soon as possible, preferably within 5 days of the occurrence, so the time can be accurately recorded for payroll purposes. We are committed to providing a fair and productive work environment for non-exempt employees, and each non-exempt employee should be paid for all time spent working and, at the same time, should be responsible for their own recordkeeping.

Overtime

Overtime is closely monitored and you are not permitted to work overtime without prior authorization from your supervisor. Due to the nature of the Company's business, your foreman/supervisor may ask you to work beyond your normal shift, or on a scheduled day off. Non-exempt employees will be paid overtime pay at the rate of 1½ times the hourly rate of pay for any hours actually worked in excess of 40 in a given workweek, in accordance with the requirements of state and federal laws, or, according to the requirements of the prevailing wage act if the employee worked on a public works project, or, for Union employees, per the union contract.

Overtime pay is based on actual hours worked. Sick leave, vacation leave, or leave of absence will not be considered hours worked for purposes of performing overtime calculations. Although an attempt will be made to give you advance notice when overtime is required, this is not always possible.

Failure to receive your foreman/supervisor's approval prior to working overtime may result in disciplinary action up to and including termination. All overtime worked must be recorded pursuant to Company policy.

Prevailing Wage Guidelines

It is the policy of the Company that all contracts in excess of the prevailing wage contract threshold amount, as defined by applicable state prevailing wage law (the "PWA"), for any public work to which any public body is a party, or for public work to be done on property or premises owned by a public body or leased or to be leased by a public body, shall be in conformity with the requirements of the PWA. Workers employed in the performance of projects so defined must be paid the prevailing wage for their craft in the area in which the work is to be accomplished. Specific rates are established and maintained current by the applicable state agency, and are posted by the state and available at the dispatch office, posted at jobsites, or with the Company job superintendent on the project. Below are general guidelines on how to handle the payment of wages when prevailing wage work is performed within a work week by a Company employee. These guidelines are intended to comply with the PWA, however, these general guidelines are not meant to subsume applicable state law, and where these guidelines differ from applicable state law, the latter will control. Questions regarding the correct payment of wages should be directed to that employee's supervisor. Whenever prevailing wage work is performed in a work week, the specific job classification wage determination, or other applicable document depending upon the state, should be consulted to ensure full compliance with the PWA.

The standard Company time tracking report captures all the information needed to support proper calculation and payment of PWA rates, and Non-PWA rates.

PWA rules apply to on-site personnel directly involved in covered work. Headquarters and construction-management staff, including but not limited to marketing, sales, administrative, engineering, and project management employees, are not affected. In

general, therefore, PW rates apply only to Company employees who are involved in covered work on-site.

All employees are strongly encouraged to immediately report any suspected violation of these Prevailing Wage Guidelines or retaliation related to reports of the same to his or her immediate supervisor, or the Chief Financial and Administrative Officer. An employee should not assume the Company is aware of his/her concern; it is the Company's policy to comply with all Prevailing Wage laws, so any violation is likely an unnoticed mistake on the part of the Company. In order to allow the Company to prevent and correct such violations, it is essential that employees use this reporting procedure and that the Company receive information about every instance of such conduct in a timely manner. Accordingly, every employee should understand that under no circumstances should an employee believe that he/ she cannot or should not report any violation of the Prevailing Wage laws. Do not allow an unlawful situation to continue by not reporting it, regardless of who is creating that situation.

The Company will not tolerate unlawful retaliation directed against employees who make complaints related to potential Prevailing Wage violations. It is the right of the employee to bring the complaint or concern to the attention of the Company. Employees should promptly report any retaliation through the channels detailed above.

The Company will promptly investigate complaints of Prevailing Wage violations or retaliation and will take prompt remedial and/or disciplinary action as is appropriate under the circumstances. Employees are expected to cooperate with the Company's efforts to investigate such complaints. All such investigations will be kept confidential to the fullest extent possible.

Rules of Conduct

Rules and regulations are essential to the general safety and welfare of our employees and to the efficient operation of our company. The following rules have been established for everyone's guidance. Since it is impossible to determine all the circumstances that may arise, this list of rules is not intended to be all-inclusive.

These rules provide illustrative standards by which employees should conduct themselves. The Company reserves the right to immediately terminate an employee who violates any of these rules of conduct, or take any other disciplinary action it deems appropriate.

The following are examples of unauthorized rules of conduct:

- a. Insubordination;
- b. Foul or abusive language or violation of the Company's anti-harassment or anti-discrimination policies;
- c. Unauthorized use or possession of intoxicants or drugs on company premises, or reporting to work while under the influence of intoxicants or drugs;
- d. Sleeping on the job;
- e. Violation of the Company's workplace violence policy, or fighting on the job or the threat of bodily harm to others while on the job;
- f. Willful misuse or damage to company material or equipment or that of another employee;
- g. Unauthorized use or removal of property belonging to the company or another employee;
- h. Tardiness or absenteeism without authorization;
- i. Insufficient work or continual unacceptable work;
- j. Misbehavior, including but not limited to: horseplay, intimidating fellow employees, making malicious statements about fellow employees or about the Company, misuse of confidential information, falsifying records, and illegal conduct;
- k. Violation of safety or other operating rules. General safety and operating rules must be observed at all times. This includes the use of proper safety equipment and the reporting of any unsafe practice to your supervisor;
- l. Accepting kickbacks from contractors, vendors, or any third party;
- m. Being dishonest with or lying to a client or to the Company; and
- n. Violation of any other policy, rule, or directive issued by the Company.

Nothing in this policy alters the Company's at-will employment policy or the at-will nature of your employment.

Phone Calls and Text Messaging While Driving

The Company requires employees to adhere to all motor vehicle laws while operating employer vehicles or on the job, including the use of cell phones while driving. Use of a cell phone is prohibited while driving company vehicles or while driving on company business, unless a proper hands-free device (i.e. Bluetooth headset or factory installed device) is utilized. If using a hands-free device, you are prohibited from holding, reaching for, or pressing more than one button to operate cell phone while operating a vehicle, and the hands-free device must be mounted or securely within reach at the driver's control panel.

Text messaging is prohibited while driving company vehicles or while driving on company business.

As used in this policy:

Driving:

- Means operating a motor vehicle on an active roadway, including while temporarily stationary because of traffic, a traffic light, stop sign, or otherwise;
- Does not include operating a motor vehicle with or without the motor running when one has pulled over to the side of, or off, an active roadway and has halted in a location where one can safely remain stationary.

Text messaging:

- Means reading from or entering data into any handheld or other electronic device, including for the purpose of short message service texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication;
- Does not include glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

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

Attendance, Punctuality, and Dependability

Because the Company depends upon its employees, it is important that employees attend work as scheduled. Attendance, punctuality, dependability and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify his/her foreman/supervisor as far in advance as possible, but not later than one hour before his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. An employee who fails to report for work without notice to his/her immediate supervisor for three (3) consecutive days may be considered to have voluntarily resigned. A careful record of absenteeism and lateness is kept by each employee's supervisor and becomes part of that employee's personnel record. To the extent permitted by law, absenteeism and lateness will lessen an employee's chances for advancement and may result in dismissal.

The above policy does not in any way affect an employee's ability to request a reasonable accommodation due to a disability, or in order to facilitate treatment of a disability, where required by state or federal law.

Insubordination

Insubordination is the refusal of an employee to follow an order from supervisory or managerial personnel, the use of obscene or otherwise objectionable language to such personnel in a threatening manner, or other acts which undermine the discipline and authority needed in the work place. Insubordination constitutes cause for discipline, up to and including termination.

Personal Calls

Because a portion of our business is conducted over the phone, it is essential to project as professional telephone manner at all times.

Personal calls, both incoming and outgoing, are generally discouraged. The Company realizes that there are times when an employee may need to use the telephone for personal reasons, but it is expected that good judgment will be used in limiting the length and frequency of such calls. An emergency is regarded as illness or a severe injury to a member of one's family, changed plans regarding an employee's transportation home from work, extreme weather conditions, and related occurrences. These types of calls should be kept brief.

Long "chatty" telephone conversations on unimportant matters may result in disciplinary action up to and including dismissal. Additionally, no long distance personal calls may be made on Company phones without prior approval from the employee's foreman/supervisor.

No Smoking Policy

In keeping with the Company's intent to provide a safe and healthy work environment, smoking is prohibited throughout the workplace. This policy applies equally to employees, clients, and visitors.

In those areas outside of the Company's workplace where smoking is permitted, employees are expected to honor the smoking and non-smoking designations and to be considerate of nonsmokers in the vicinity. Smokers are asked to keep smoking breaks to an absolute minimum and preferably to limit them to lunch periods to ensure that work productivity is not adversely affected.

All employees are responsible for observing the Company's smoke-free environment policy and all employees, both smoking and non-smoking, are expected to exercise good sense and common courtesy in respecting the needs and rights of others.

Substance Abuse

The Company complies with federal and state law regarding use of alcohol and controlled substances. Manufacturing, possessing, dispensing, distributing, or using alcohol, or any controlled substance without medical prescription at work is strictly prohibited. Reporting to work, or working under the influence of alcohol, or any

controlled substance without a medical prescription is strictly prohibited. Any employee found violating any of these provisions will be subject to appropriate disciplinary action, up to and including dismissal. In addition, the Company reserves the right to require an employee to undergo a medical examination under appropriate circumstances.

An employee who is experiencing a problem relating either to alcohol or drug abuse is encouraged to contact his or her foreman/supervisor for help in securing counseling or other assistance, or a leave of absence.

Employees required to maintain a Commercial Drivers' License are directed to the Company's Drug and Alcohol Abuse Policy Statement for an in-depth discussion regarding the Company's policy regarding the detection of employee misuse of alcohol and drugs, and each employee is required to review, acknowledge, and become familiar with this policy. A copy of the Company's Drug and Alcohol Abuse Policy Statement can be obtained from the Director of Safety or the Chief Financial and Administrative Officer.

Violence in the Workplace

The Company recognizes that workplace violence is a concern among employers and employees across the country. The Company is committed to providing a safe, violence-free workplace. In this regard, the Company strictly prohibits employees, consultants, customers, visitors, or anyone else on Company premises or engaging in a Company - related activity from behaving in a violent or threatening manner. Moreover, as part of this policy, the Company seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

The Company believes that prevention of workplace violence begins with recognition and awareness of potential early warning signs and has established procedures within the Management Office for responding to any situation that presents the possibility of violence.

Workplace violence includes, but is not limited to, the following:

1. Threats of any kind;
2. Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others;
3. Other behavior that suggests a propensity towards violence, which can include belligerent speech, excessive arguing or swearing, sabotage, or threats of sabotage of Company property, or demonstrated pattern of refusal to follow Company policies and procedures;
4. Defacing Company property or causing physical damage to the facilities; or
5. Bringing weapons or firearms or any kind on Company premises, in Company parking lots, or while conducting Company business.

If any employee observes or becomes aware of any of the above-listed actions or behavior by an employee, customer, consultant, visitor, or anyone else, he or she should notify his or her immediate supervisor immediately.

Further, employees should notify his or her immediate supervisor if any restraining order is in effect, or if a potentially violent non work-related situation exists that could result in violence in the workplace.

All reports of workplace violence will be taken seriously and will be investigated promptly and thoroughly to the extent possible. In appropriate circumstances, the Company will inform the reporting individual of the results of the investigation. To the extent possible, the Company will maintain the confidentiality of the reporting employee and of the investigation. The Company may, however, need to disclose results in appropriate circumstances, for example, in order to protect individual safety. The Company will not tolerate retaliation against any employee who reports workplace violence.

If the Company determines that workplace violence has occurred, the Company will take appropriate corrective action and will impose discipline on offending employees. The appropriate discipline will depend on the particular facts but may include written or oral warnings, probation, reassignment of responsibilities, suspension, or termination. If the violent behavior is that of a non-employee, the Company will take appropriate corrective action in an attempt to ensure that such behavior is not repeated.

Workplace Injuries

Should an employee be injured on the job, or experience a job-related illness while working at the Company, the employee should report the injury or job-related illness to their immediate supervisor as soon as possible. If immediate medical attention is required, the employee should proceed to the hospital or emergency care facility, and notify their immediate supervisor thereafter. The employee is required to complete the required incident report within 24 hours and submit the report to their supervisor. If required, the Company will file an incident report of injury or illness with the Company's workers' compensation insurance carrier which will then contact the injured employee to determine if the claim is compensable.

Safety Disciplinary Policy

The Company believes that in order to maintain a safe and healthful workplace, the employees must be cognizant and aware of all company, State, and Federal safety and health regulations as they apply to the specific job duties required. The following disciplinary policy is in effect and will be applied to all safety and health violations.

The following steps will be followed unless the seriousness of the violation would dictate going directly to Step 2 or Step 3.

1. A first time violation will be discussed orally between company supervision and the employee. This will be done as soon as possible.
2. A second time offense will be followed up in written form and a copy of this written documentation will be entered into the employee's personnel folder.
3. A third time violation will result in unpaid time off or possible termination, depending on the seriousness of the violation.

SECTION 5 EMPLOYEE BENEFITS

Benefits Disclaimer

This section of the Manual is intended to highlight some features of our benefit programs. Our group health, dental, and retirement related programs are described more fully in separate documents which are provided to eligible employees. Complete descriptions of our group insurance programs are also contained in the Company's master insurance contracts with insurance carriers, which are maintained at the Company Payroll/Human Resources Department. Complete descriptions of our retirement related programs are contained in the appropriate master plan documents, which are likewise maintained at the Company Payroll/Human Resources Department. In the event of any contradiction between the information appearing in this Manual and the information appearing in master contracts or master plan documents, the master contracts/documents shall govern in all cases.

The Company reserves the right to amend or terminate any of these programs and to require or increase employee premium contributions toward any benefit programs in its discretion.

Health and Medical Insurance / 401(k)

Non-Union Company employees are eligible to participate in the Company's group health, medical, dental, life insurance and 401(k) plans, subject to the Eligibility Requirements of each plan.

Employees are directed to review the Company's group health, medical, dental, life insurance and 401(k) plan(s) for the full and exact terms and Eligibility Requirements for the plan(s), copies of which can be obtained from the Payroll/Human Resources office.

A copy of the eligibility requirements, and plan highlights will be provided with the new hire enrollment forms. The Company reserves the right to amend the plans.

SECTION 6 LEAVES OF ABSENCE

Military Leave

The Company will provide benefits and job protection to those individuals serving in the military in accordance with the Uniformed Services Employment and Re-employment Rights Act of 1994 (USERRA) and applicable state military leave laws. Information on USERRA can be found at www.dol.gov/elaws/userra.htm. For further information about your rights and responsibilities under USERRA, contact Human Resources.

Family and Medical Leave Act (FMLA)

You may be eligible for leave under the federal Family and Medical Leave Act (“FMLA”) if you have worked for the Company at least 12 months before your request for leave, and if you have worked a minimum of 1,250 hours during the 12 months before your request for leave.

If you qualify, you will be eligible for up to 12 workweeks of leave during any 12-month period, measured forward from the date of your first FMLA leave usage. If both you and your spouse are employed with this Company, and you both are eligible for family and medical leave under federal law, then your combined leave is 12 workweeks of leave during any 12-month period. (This limitation does NOT apply if leave is requested because of the employee’s own serious health condition or that of the employee’s spouse or child.)

You can take a family leave under this policy at the time of the birth of a child, at the time of an adoption of a child, or at the time a foster child is placed in your care.

You can take medical leave under this policy when you have a serious health condition, and to care for a spouse, child, or parent with a serious health condition.

You can take leave under this policy, up to 26 workweeks during a 12-month period, if you are the spouse, parent, child, or next of kin, of a covered service member to care for the recovering service member who developed a serious injury or illness while serving in the armed forces, or a veteran, under circumstances defined by law.

A serious health condition is an illness, injury, impairment, or physical or mental condition that requires continuing treatment by a health care provider, or inpatient care in a hospital, hospice, or health care facility.

Under certain conditions you may be eligible to take family and medical leave intermittently or on a reduced work schedule.

The Company will require you to substitute your earned and accrued paid time off in place of unpaid family and medical leave, in circumstances permitted by law. If you exhaust this paid time off, you are eligible for unpaid leave to complete a maximum of 12 workweeks of paid and unpaid leave in a 12-month period.

The Company will maintain your group health insurance benefits while you are on a family and medical leave under this policy, under the same terms and conditions prior to taking the leave. Group health insurance benefits will end if: You inform the Company of your intent not to return from the leave, if you fail to return from the leave, if you exhaust your family and medical leave entitlement and are on an approved leave, or if your premium payment is more than 30 days late.

When you return from your family and medical leave under this policy, you are entitled to the same job position you held before the leave, or to an equivalent position with the same benefits, pay, and other terms and conditions of employment.

When seeking to use family and medical leave under this policy, the Company requires you to provide: 30 days advance notice when your need is foreseeable, medical certification supporting your need for a leave due to a serious health condition affecting yourself or an immediate family member, periodic recertification and, if necessary, second and third medical opinions at the Company's expense.

For complete information on your eligibility and other terms and conditions of this policy, examine the summary of the federal Family and Medical Leave Act (FMLA) posted on our Company bulletin boards. For further explanations and answers to any of your questions on the FMLA, please consult the Chief Financial and Administrative Officer.

Nothing in this policy is intended to conflict with provisions of federal and state law. If there is any conflict, the provisions of federal and state law will apply. Depending on which state you work in, there may be additional benefits to which you are entitled by law.

An employer may not interfere with, restrain, or deny the exercise of any right provided under FMLA.

An employer may not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding relating to FMLA.

The U.S. Department of Labor is authorized to investigate and resolve complaints of violations of the FMLA.

An eligible employee may bring a civil action against any employer for violations of the FMLA.

FMLA does not affect any Federal or State Law prohibiting discrimination, or supersede any State or local law which provides greater family or medical leave rights.

Employee Entitlement to “Servicemember FMLA”

The FMLA now entitles eligible employees to take leave for a covered family member’s service in the National Guard or Reserves and/or the Armed Forces (“Servicemember FMLA”). This policy supplements our FMLA policy and provides general notice of employee rights to such leave. Except as mentioned below, an employee’s rights and obligations to Servicemember FMLA Leave are governed by our existing FMLA policy.

Servicemember FMLA provides eligible employees unpaid leave for any one, or for a combination, of the following reasons:

- A “qualifying exigency” arising out of a covered family member’s active duty or call to active duty;
- To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the National Guard or Reserves and/or the Armed Forces or who is a veteran undergoing medical treatment, recuperation or therapy for a serious injury or illness who was a member of the Armed Forces (including the National Guard or Reserves) in the 5 years preceding the date the veteran undergoes said treatment, recuperation or therapy.
- When Leave Is Due To A “Qualifying Exigency”: An eligible employee may take up to 12 workweeks of unpaid leave during any 12-month period.
- When Leave Is To Care for an Injured or Ill Service Member Or Veteran: An eligible employee may take up to 26 workweeks of unpaid leave during a single 12-month period to care for the servicemember. Leave to care for an injured or ill servicemember, when combined with other FMLA-qualifying leave, may not exceed 26 weeks in a single 12-month period.

Servicemember FMLA runs concurrent with other leave until entitlements provided under federal, state and local law.

An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave also must use all paid vacation, personal leave or sick leave (as long as the reason for the absence is covered by the Company’s sick leave policy) prior to being eligible for unpaid leave.

Leave under State Military Leave Laws

A growing number of states provide leave for family members of servicemembers. The entitlements for such leave differ from state to state. Our policy is to comply with such laws in any circumstances where they apply to employees of our Company.

If you have any questions regarding servicemember FMLA leave, please contact the Chief Financial and Administrative Officer.

New Jersey Family Leave Act (New Jersey Employees Only)

Under the New Jersey Family Leave Act (NJFLA), certain employees are entitled to take leave without losing their jobs if certain conditions are met. An employee who wants to take NJFLA leave must have worked for the Company for one year and must have worked at least 1,000 hours, including paid overtime hours, during the 12 months immediately prior to taking the leave. The Company may deny leave to employees whose salaries are within the highest 5% of all employees if their absence would have a substantial negative effect on the business. The same is true for the seven most highly paid employees. The Company will provide notice to an employee seeking NJFLA leave that falls into this category.

The NJFLA permits leave to be taken for:

- the care of a newly born or adopted child, as long as leave begins within one year of the date the child is born to or placed with the employee; or
- the care of a parent, child under 18 or spouse who has a serious health condition requiring in-patient care, continuing medical treatment or medical supervision. The NJFLA considers parents to be: in-laws, step-parents, foster parents, adoptive parents, or others having a parent-child relationship with an employee.

Each eligible employee may take up to 12 weeks of continuous leave during a given 24-month period, which begins on the first day of leave. In certain situations, an employee may take leave that is not continuous, for example, a reduced work schedule. The Company's approval is necessary for this type of arrangement.

Employees must give 30-days written notice to the Company for leave related to the birth or adoption of a child. In the case of relative's serious health condition, 15 days written notice is required. If an emergency arises, oral notice may be given within a reasonable time, when written notice is impractical. In such a situation, you must provide written notice after submitting oral notice.

New Jersey family leave is separate from any leave an employee may take for his or her own disability.

Unlike the federal Family and Medical Leave Act (FMLA), the NJFLA does not allow an employee to use leave time for his or her own medical condition. In situations where a leave is covered by both the NJFLA and the FMLA (i.e. family leave), the employee is entitled to only one period of leave of up to twelve weeks in a twelve month period to care for a family member. A leave granted due to the employee's disability is covered only by the federal FMLA and may be followed by an additional leave for the care of a family member under the NJFLA.

Employees are generally entitled to the same position held before the leave. If the original position is no longer available when the employee returns, the Company will offer an equivalent position in terms of pay, benefits and status. If a layoff occurred while the employee was on leave, the employee retains the same rights as if no leave had been taken.

The Company is entitled to request verification of the qualifying condition, such as a doctor's certification that a serious health condition exists. In other words, a medical certification may be required.

For complete information on your eligibility and other terms and conditions of this policy, examine the summary of the New Jersey Family Leave Act posted on our Company bulletin boards. For further explanations and answers to any of your questions on the NJFLA, please consult the Chief Financial and Administrative Officer.

Domestic Violence Victim Leave (New Jersey Employees Only)

The New Jersey Security and Financial Empowerment Act ("NJ SAFE Act"), provides that certain employees are eligible to receive an unpaid leave of absence, for a period not to exceed 20 days in a 12-month period, to address circumstances resulting from domestic violence or a sexually violent offense. To be eligible, the employee must have worked at least 1,000 hours during the immediately preceding 12-month period.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19, or a victim of a sexually violent offense, as that term is defined in N.J.S.A. 30:4-27.6. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, or civil union partner is a victim of domestic violence or a sexually violent offense. Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities as they relate to an incident of domestic violence or a sexually violent offense:

- Seeking medical attention for, or recovering from, physical or psychological injuries caused by domestic or sexual violence to the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Obtaining services from a victim services organization for the employee or the employee's child, parent, spouse, domestic partner, or civil union partner;
- Obtaining psychological or other counseling for the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase the safety from future domestic violence or sexual violence or to ensure the economic security of the employee or the employee's child, parent, spouse, domestic partner or civil union partner;
- Seeking legal assistance or remedies to ensure the health and safety of the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence or sexual violence; or

- Attending, participating in or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence of which the employee or the employee's child, parent, spouse, domestic partner, or civil union partner, was a victim.

Leave under the NJ SAFE Act must be used in the 12-month period immediately following an instance of domestic violence or a sexually violent offense. The unpaid leave may be taken intermittently in intervals of no less than one day. The unpaid leave shall run concurrently with any paid vacation leave, personal leave, or sick leave that the employee elects to use or which the Company requires the employee to use during any part of the 20-day period of unpaid leave. If the employee requests leave for a reason covered by both the NJ SAFE Act and the NJFLA, or the FMLA, the leave shall count simultaneously against the employee's entitlement under each respective law.

Employees eligible to take leave under the NJ SAFE Act must, if the necessity for the leave is foreseeable, provide the Company with written notice of the need for the leave. The employee must provide the Company with written notice as far in advance as reasonable and practicable under the circumstances. The Company has the right to require the employee to provide it with documentation of the domestic violence or sexually violent offense that is the basis for the leave. The Company will retain any documentation provided to it in this manner in the strictest confidentiality, unless the disclosure is voluntarily authorized in writing by the employee or is authorized by a federal or State law, rule or regulation.

For further explanations and answers to any of your questions on the NJ SAFE Act, please consult the Chief Financial and Administrative Officer.

Leave of Absence (other than FMLA leave)

When an EMPLOYEE is NOT eligible for a leave of absence under Federal or State leave laws, the below company policy on Leaves of Absence will apply.

On occasion, an employee may find that personal, health, or family problems make it necessary to be absent from work for an extended period of time. Leave of absence for limited periods of time may be permitted depending on the reasons and circumstances that prompt such a request. Such a request for leave of absence must be in writing, supported by valid reasons and approved by management. These periods will be without pay and benefits. However, no leave of absence shall normally exceed a thirty day period.

An employee desiring a leave of absence must first present a written request to his or her foreman/supervisor, who will forward it to the Chief Financial and Administrative Officer. The written request must contain the anticipated length of absence, with dates, and explain the circumstances that prompted the request. An approved leave of absence will not be extended beyond the date stated in the initial written request without further written request and approval.

Employees granted a leave of absence must resume work on the first scheduled workday following the expiration date of the approved leave. Subject to availability, the Company will endeavor to provide an employee returning from leave with a position which is comparable in skills and salary to the pre-leave position. However, the Company does not guarantee that at the end of the leave period, an employee will return to the position he/she held at the time the leave began or that a comparable position will be available. An employee does not earn vacation, sick or personal time during a leave of absence.

If an employee fails to report to work at the completion of an unpaid leave of absence without requesting and having approved a continuation of time off, the employee will be considered to have abandoned his/her job and employment will be terminated.

To retain insurance benefits during an approved leave of absence, the employee must prepay the full cost of any insurance in effect before the leave of absence begins. During a leave of absence, the employee will continue to accrue sick and vacation leave only for those hours for which he or she is paid. Sick and vacation leave do not accrue on leaves without pay. Performance appraisal and salary review will be deferred for the period of time the employee is on leave.

Maternity Leave

Pregnancy is treated as a short-term disability and, under the law, must be treated in the same manner as a medical disability. Maternity leave shall be treated the same as any other short-term medical disability. Leaves of absence due to pregnancy may be granted for the period during which the employee's physician certifies that the employee is medically unable to work. Employees on maternity leave may also take additional time off by using personal days, vacation, or family leave, where applicable. As is the case with other medical leave, maternity leaves are unpaid except to the extent an employee has accrued vacation leave.

New Jersey Paid Family Leave (New Jersey Employees Only)

New Jersey's Paid Family Leave Benefits (PFL) extends temporary disability benefits to qualifying employees who take time off work to care for a seriously ill family member or to bond with a newborn or newly adopted child. As of July 1, 2009, qualifying employees may be eligible to receive up to six (6) weeks (or forty-two (42) days if taken on an intermittent basis to care for a seriously ill family member) of PFL during any 12-month period. PFL provides employees with two-thirds of the employee's average weekly salary, up to a certain amount set forth under the temporary disability benefits law. PFL benefits are funded by employee payroll tax withholdings, which began on January 1, 2009.

PFL to care for a newborn or newly adopted child must be taken on a continuous basis and must occur within twelve (12) months of the birth or placement of the child. Intermittent leave is not permitted to care for a newborn or newly adopted child. Employees must provide 30 days notice prior to paid leave to care for a newborn or newly adopted child.

Intermittent PFL can be taken to care for a seriously ill family member provided the employee gives at least 15 days prior notice, absent emergency or unforeseen circumstances. Further, employees taking leave to care for a seriously ill family member must provide a Medical Certification as to the medical necessity and must make a reasonable effort to schedule leave to avoid an undue disruption to the Company. The Medical Certification form is available from the Chief Financial and Administrative Officer.

The State of New Jersey determines whether an employee is eligible for PFL. The Company does not make that determination.

PFL requires a one week, unpaid waiting period. If the leave continues for three (3) weeks or more, benefits are payable retroactive to the first day PFL is approved. The Company requires the use of two (2) weeks of Compensated time off accrued under the Company's policy before using PFL. If an employee uses two (2) weeks of Compensated Time Off, there is no one week waiting period. PFL benefits run concurrent with an employee's FMLA and NJFLA benefits.

SECTION 7 MISCELLANEOUS

Employer References

The Company will respond only to written requests for personnel information about current, retired, or terminated employees. All such requests must be addressed to the Payroll/Human Resources office, who will only verify the following information upon receiving written authorization from the employee:

- Dates of Employment
- Title(s) or position(s)
- Wage or Salary Levels
- Work Location(s)

It is the Company's policy not to give any opinion or assessment of job performance or attitude. Any employee who fails to comply with this policy is subject to disciplinary action, up to and including termination.

Expense Reimbursement

The Company's employee expense reimbursement policy requires that prior to an employee submitting a request for expense reimbursement:

- The employee must be pre-authorized to have an expense account. Pre-authorization is determined by the Directors and Owners; and
- The claimed expense must be business related, and pre-approved by the Directors and Owners. Expenses that are not pre-approved shall be denied.

Expense reports are to be sent to the employees' foreman/supervisor, who will in turn review the expenses and deliver to the Company accounting office for payment not more than once per week, with all necessary supporting vouchers.

An employee submitting a false expense report is subject to discipline up to and including termination.

Open Door Policy

The Company respects your rights, and we want to maintain an open and direct relationship with all employees. Your supervisor is available to talk with you when you have a question, concern, idea or suggestion. You may also discuss any question, concern, idea or suggestion with Chief Financial and Administrative Officer at any time. We urge you to come forward with problems and issues so that we can consider addressing them where appropriate. If we don't know about a problem or issue you have, we won't be able to help resolve it.

Personnel Files

The information in an employee's personnel file is permanent and confidential. Personnel files are the property of the Company, and access to the information is restricted. Management personnel of the Company who have a legitimate reason to review the file are allowed to do so.

Employees who wish to review their own file should contact Human Resources. With reasonable advance notice, the Employee may review his/her personnel file in the Company's office and in the presence of the manager.

SECTION 8

AGREEMENT TO ARBITRATE FOR NON-UNION EMPLOYEES

The Company makes available certain internal procedures for amicably resolving any complaints or disputes you have relating to your employment. However, if you are unable to resolve any such complaints or disputes to your satisfaction internally, the Company has provided for the resolution of all disputes that arise between you and the Company through mandatory arbitration before a neutral arbitrator.

Because of, among other things, the delay and expense which result from the use of the court systems, any legal or equitable claims or disputes arising out of or in connection with employment, terms and conditions of employment, or the termination of employment with the Company will be resolved by binding arbitration instead of in a court of law or equity. This agreement applies to all disputes involving legally protected rights (e.g., local, state and federal statutory, contractual or common law rights) regardless of whether the statute was enacted or the common law doctrine was recognized at the time this agreement was signed. This agreement does not limit an employee's ability to complete any external administrative remedy (such as with the EEOC).

The arbitration proceedings shall take place in or near the city where the employee worked. There will be one arbitrator chosen by mutual agreement of the parties. If, within 60 days after the employee submits a notice of intention to arbitrate to the Company, and no arbitrator has been chosen, then an arbitrator shall be chosen by the American Arbitration Association pursuant to its National Rules for the Resolution of Employment Disputes ("National Rules").

The arbitrator shall coordinate and limit as appropriate all pre-arbitration discovery (e.g., document production, information requests, depositions). The arbitrator shall issue a written decision and award (if any) stating the reasons for the decision and award. The decision shall be final and binding on both parties, their heirs, executors, administrators, successors and assigns, and may be entered and enforced in any court of competent jurisdiction. Proceedings to enforce, confirm, modify or vacate the decision will be controlled by and conducted in conformity with the Federal Arbitration Act 9 U.S.C. Sec. 1 *et seq.* or applicable state law. The employee is entitled to representation by an attorney throughout the proceedings at his or her own expense. The fees and expenses of the arbitration shall be borne by the parties, pursuant to the schedule set forth in the National Rules unless otherwise awarded by the arbitrator in the final, written decision.

I understand that this policy substitutes one legitimate dispute resolution form (arbitration) for another (litigation), thereby waiving any right to either party to have the dispute resolved in court. This substitution involves no surrender, by either party, of any substantive statutory or common law benefits, protection or defense.

I understand that if I should become employed by the Company, that such employment is conditioned upon this Agreement. The parties agree that this policy is not intended to add to, create, or imply any contractual or other right of employment. The parties

employment relationship is at will, and no other inference is to be drawn from this Agreement.

This Agreement does not apply to employees represented by a recognized Union. Those employees should refer to their governing Collective Bargaining Agreement for the terms and conditions of their employment.

EMPLOYEE ACKNOWLEDGEMENT

I acknowledge that I received a copy of the Intercounty Paving Associates, LLC Employee Manual on the date indicated below. I have read it, understand it, and agree to follow the policies, procedures, and practices contained therein, and any amendments thereto.

Since the information, policies and benefits described here are necessarily subject to change, I acknowledge that revisions to the Manual may occur. All such changes shall be communicated through official notices, and I understand that revised information may supersede, modify or eliminate existing policies. Only the Managing Member of the Company has the ability to adopt any revisions to the policies in the Manual and all such revisions may be in writing.

I have entered into my employment relationship with the Company voluntarily and acknowledge that there is no specified length of employment. I understand and acknowledge that my employment with the Company is at-will, which means either I or the Company can terminate my employment at-will, with or without notice, with or without cause, at any time. I further acknowledge that no one, other than the Company's Managing Member, is authorized to make any representations altering the employment at-will relationship. Any such change must be in writing.

Employee Signature

Date

Print Name