

**Staff Right** ✓

**Temporary Employee Manual**

**(Amended April 2013)**

## TABLE OF CONTENTS

<b>TABLE OF CONTENTS</b> .....	<b>2</b>
<b>INTRODUCTORY STATEMENT</b> .....	<b>3</b>
<b>NATURE OF EMPLOYMENT</b> .....	<b>3</b>
<b>EMPLOYEE RELATIONS</b> .....	<b>3</b>
<b>EQUAL EMPLOYMENT OPPORTUNITY</b> .....	<b>4</b>
<b>IMMIGRATION LAW COMPLIANCE</b> .....	<b>4</b>
<b>EMPLOYMENT APPLICATIONS</b> .....	<b>4</b>
<b>PERSONNEL DATA CHANGES</b> .....	<b>5</b>
<b>TIMEKEEPING</b> .....	<b>5</b>
<b>PAYDAYS</b> .....	<b>5</b>
<b>WORK SCHEDULES</b> .....	<b>5</b>
<b>ATTENDANCE AND PUNCTUALITY</b> .....	<b>6</b>
<b>SAFETY AND WORKERS' COMPENSATION INSURANCE</b> .....	<b>6</b>
<b>PERSONAL APPEARANCE</b> .....	<b>7</b>
<b>PERSONAL LEAVE</b> .....	<b>7</b>
<b>DRUG AND ALCOHOL USE</b> .....	<b>10</b>
<b>EMPLOYEE CONDUCT AND WORK RULES</b> .....	<b>12</b>
<b>UNLAWFUL HARASSMENT</b> .....	<b>14</b>
<b>RESIGNATION</b> .....	<b>15</b>

## **Introductory Statement**

This handbook is designed to acquaint you with Staff Right and provide you with information about working conditions and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee.

No employee handbook can anticipate every circumstance or question about policy. As Staff Right continues to grow, the need may arise, and Staff Right reserves the right, to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, without advance notice, in its sole and absolute discretion. Employees will be notified of such modifications to the handbook. Staff Right's employment-at-will policy is not subject to modification. Nothing in this handbook is intended to create a contract (express or implied) or any other legally enforceable obligation on the part of Staff Right.

No one other than the Chief Executive Officer ("CEO") of Staff Right may alter or modify any of the policies in this handbook. Any alterations or modifications of the policies in this handbook must be in writing. No statement or promise by a coordinator, manager, supervisor, or department head, past or present, may be interpreted as a change in policy, nor will it constitute an agreement with an employee.

## **Nature of Employment**

Employment with Staff Right is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Staff Right may terminate the employment relationship at will at any time, with or without notice or cause, as long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Staff Right and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or canceled at any time, at Staff Right's sole discretion.

## **Employee Relations**

Staff Right believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe that Staff Right amply demonstrates its commitment to employees by responding effectively to employee concerns.

## **Equal Employment Opportunity**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Staff Right will be based on merit, qualifications, and abilities. Staff Right does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law.

Staff Right 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.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of Staff Right's Chief Executive Officer or Controller. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## **Immigration Law Compliance**

Staff Right 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. Former employees who are rehired must also complete the form if they have not completed an I-9 with Staff Right 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 Staff Right's Controller. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **Employment Applications**

All applicants for employment with Staff Right must fully complete, sign and date Staff Right's employment application form. Staff Right relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in Staff Right's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment. The completed application form will be made part of the personnel file of those applicants accepted for employment.

## **Criminal Background Policy**

Staff Right requires all applicants to provide Staff Right with authorization to conduct background searches that include criminal conviction records of the applicant. Conviction of a crime will not automatically disqualify an applicant from consideration for employment. Staff Right will consider all of the available information in reviewing applications, including the nature of the position for which the applicant is applying, as well as the date, nature, and circumstances surrounding the criminal incident.

Therefore, it is important that applicants provide Staff Right with any information that the applicant would like to be taken into consideration. This information will be kept strictly confidential and will not be shared with anyone other than persons who are directly involved in the hiring process and who require the information to make a hiring decision.

If the criminal history provided by the applicant does not conform with the information received from the background search, the applicant will be given the opportunity to explain any inaccuracies. Falsification of application materials, including failure to disclose criminal convictions, may result in Staff Right's exclusion of the individual from further consideration for employment.

Employees who are convicted of a criminal violation must notify Staff Right within five (5) days of the conviction. Failure to report a conviction may result in discipline up to and including immediate termination of employment.

## **Personnel Data Changes**

It is the responsibility of each employee to promptly notify Staff Right of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify Staff Right's recruitment staff.

## **Employment Classification**

### **Exempt Employees**

Employees who are designated as exempt are paid a fixed salary and are not entitled to overtime pay.

### **Nonexempt Employees**

Employees who are designated as nonexempt are entitled to overtime pay at a rate of one and one-half times their regular rate of pay for all hours worked over 40 in one workweek, as required by applicable federal and state law.

### **Full-Time Employees**

Employees who work at least 40 hours per week are considered full-time employees.

### **Variable Hour Employees**

An employee is a variable hour employee if, based on the facts and circumstances at the start date, Staff Right cannot determine that the employee is expected to be employed on average at least 30 hours per workweek. A new employee who is expected to be employed initially at least 30 hours per workweek may be a variable hour employee if, based on the facts and circumstances at the start date, the period of employment at more than 30 hours per workweek is reasonably expected to be of limited duration and it cannot be determined that the employee is reasonably expected to be employed on average at least 30 hours per week over the initial measurement period of ten months.

## **Timekeeping**

Staff Right recruiters will provide employees with timekeeping procedures for the job site to which they are assigned. Accurately recording work time is the responsibility of every Staff Right employee. For the purposes of this policy, “time worked” means all time spent performing job-related duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Off-the-clock work is strictly prohibited. Overtime work must always be approved by the employee’s supervisor at the job-site to which they are assigned before it is performed.

Non-exempt employees must ensure all time is recorded accurately. It is the employee’s responsibility to notify his or her supervisor of any errors in the time records.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

## **Pay Period and Hours**

All employees are paid weekly. Staff Right pays its employees either by direct deposit or through Staff Right’s paycard system.

### Garnishment

Garnishments are court orders requiring an employer to withhold specified amounts from an employee's wages for payment of a debt owed by the employee to a third party. State law requires Staff Right to honor garnishments of employee wages (including child support) as a court or other legal judgment may instruct. The law also provides for an administrative fee to be charged when a garnishment occurs. Such administrative fee may be deducted from an employee's wages without the employee's consent.

## **Work Schedules**

Work schedules are determined by the supervisor at the job site to which the employee is assigned. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Employees are responsible for notifying Staff Right when a job assignment ends. Employees must contact Staff Right and request another assignment daily until they receive another assignment. If an employee fails to contact Staff Right to request another job assignment or refuses to accept another assignment, Staff Right will assume that the employee has voluntarily resigned.

## **Attendance and Punctuality**

To maintain a safe and productive work environment, Staff Right expects employees to be reliable and to be punctual in reporting for scheduled work. Regular and on-time attendance is essential for efficient operations. Excessive absenteeism and tardiness is not only inconvenient but also creates a burden for Staff Right’s clients. While it is recognized that an occasional illness or extenuating personal reason may cause unavoidable absence from work or tardiness, regular on-time attendance is required for continued employment.

In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify both a Staff Right Manager and the supervisor at the job site to which they are assigned at least one hour in advance of the anticipated tardiness or absence.

Any employee who fails to maintain an acceptable attendance record may be subject to disciplinary action up to and including termination. If any employee is absent from work for three (3) consecutive days without informing their immediate supervisor, Staff Right will assume that the employee has resigned and employment will be terminated as of the last day worked by the employee.

One unexplained or unexcused absence (one “no call/no show”) may be cause for immediate termination. If you accept a job assignment and you “no call/no show” or if you leave the job site prior to the scheduled completion time, Staff Right may assume that you have voluntarily resigned your employment.

Employees must be accessible by telephone and must have reliable transportation.

If an applicant accepts employment with Staff Right and does not complete his or her first job assignment, Staff Right will deduct the cost of the employee’s criminal background check (\$20.00), drug test (\$10.00), social security verification (\$5.00), and motor vehicle record check (if applicable)(\$25.00) from the employee’s pay unless prohibited by law or regulation.

## **Safety and Workers' Compensation Insurance**

At Staff Right we take our responsibility as your employer very seriously. We go to great lengths and expense to provide a safe working environment. Staff Right provides a workers' compensation insurance program at no cost to employees. Subject to applicable laws, workers' compensation insurance may provide benefits for an injury or illness arising out of and in the course of employment that requires medical, surgical, or hospital treatment after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain or observe work-related injuries or illnesses must immediately inform both their supervisor at the job site to which they are assigned, as well as a Staff Right Manager. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Employees will be required to submit to a drug and alcohol screening within three (3) hours following a work related injury or accident. Refusal to submit to a drug or alcohol screening following a work related injury or accident may result in immediate suspension and/or termination. If an employee fails drug or alcohol screening at the time mentioned above, he or she may forfeit his or her right to workers' compensation benefits.

Employees should immediately notify Staff Right if the client for which they assigned to work asks or instructs them to perform duties other than those that were described to them by Staff Right. Employees must also comply with any safety policies and procedures for the job site to which they are assigned. Performing duties outside the scope of the job assignment, failure to follow safety policies and procedures, or failure to use/wear required safety equipment could result in disciplinary action, up to and including termination of employment. Injuries sustained by employees while performing duties outside the scope of their job assignment (including horseplay) or sustained while failing to follow safety policies/procedures or wear/use required safety equipment might not be covered by workers' compensation insurance.

## **Personal Appearance**

Dress standards will depend upon the job site at which the employee is assigned. Employees are expected to present a clean and neat appearance and to dress according to the requirements of their work assignment.

If you have questions as to what constitutes appropriate attire, consult the supervisor at the job site to which you are assigned or a Staff Right Manager.

## **Personal Leave**

### Military Leave

Staff Right provides military leaves of absence to employees who serve in the uniformed services as required by the Uniformed Services Employment and Reemployment Rights Act of 1994 and applicable state laws. Leave is available for active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, and for examinations to determine fitness for duty.

Total military leave time may not exceed five years during employment, except under special circumstances. Advance notice of leave is required, where possible, and must be requested by presenting the orders of the Commanding Officer of the employee's military unit to the employee's manager. Please inform your manager of anticipated military leave time as far in advance as possible.

Employees on military leave may take all, part or none of their earned accrued leave time during their military duty. Otherwise, military leave is unpaid. Employees on military leave who are current participants in the group health plan will be covered for a period of 31 days from the date leave begins. Benefits under the Group Health Plan will continue through the last day of the month in which this 31-day period begins. Additional health plan coverage continuance for up to 24 months may be arranged through COBRA (Consolidated Omnibus Budget Reconciliation Act) for the remainder of leave or until rights under COBRA expire. Employees may be required to pay up to 102 percent of the full premium for this additional coverage. Upon reinstatement, coverage will be retroactive to the first day of the month in which the employee returns from military leave.

Employees returning from military leave must report or submit applications for reemployment within specified time limits, except in some circumstances.

Employees returning from a leave of fewer than 31 days must report to work by the beginning of the first regularly scheduled work period after the end of the calendar day of duty, plus time required to return home safely and an eight hour rest period.

Employees returning from a military leave of more than 30 but fewer than 181 days must submit an application for reemployment within 14 days of completion of service.

Employees returning from a military leave of more than 180 days must submit an application for reemployment within 90 days of completion of service.

Service members convalescing from injuries received during service or training may have up to two years from the date of completion of service to return to their jobs or apply for reemployment.



Employees who are not regular status employees may not be eligible for reinstatement following military leave and reinstatement may not be required for other employees in some circumstances. Contact the Human Resources Department for information pertinent to your situation.

As with other leaves of absence, failure to return to work or to reapply within applicable time limits may result in termination of employment.

### Jury/Witness Duty

Staff Right encourages employees to fulfill their civic responsibilities by serving jury and witness duty when required. Non-exempt employees will not be paid for leave taken to perform jury duty. Employees who are subpoenaed to serve as a witness in a legal proceeding in which Staff Right has an interest will be paid at their regular rate of pay for leave taken to serve as a witness.

Employees must notify their immediate supervisor upon receipt of a summons or subpoena so that arrangements can be made to accommodate the employee's absence. A document from the court which shows the time spent by the employee at the court must be submitted to the employee's supervisor at Staff Right.

Verification of an employee being seated on a jury, being retained in a jury pool, or subpoenaed as a witness is required. An employee who is subpoenaed to serve as a witness for reasons not related to company business must use leave without pay.

### Pregnancy-Related Absences

Staff Right will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy. Such leave requests will be evaluated and are subject to federal and state laws.

Requests for time off associated with pregnancy and/or childbirth, such as bonding and child care, not related to medical disabilities for those conditions will be considered in the same manner as other requests for unpaid family or personal leave.

### Family and Medical Leave of Absence

Generally, employees with at least 12 months service and who have completed at least 1,250 hours of work over the previous 12 months are eligible for this leave. Staff Right will not discriminate against employees as a result of the approved use of family care or medical leave or a proper request for such leave. Requests for family care and medical leave will be considered without regard to race, color, national origin, gender, age, religion, disability, or any other characteristic protected by law.

In general, a leave of absence is an official authorization to be absent from work without pay for a specified period of time. Eligible employees may be entitled to job-protected family or medical leaves of absence if they are unable to come to work due to pressing family or medical concerns as described with this Family and Medical Leave of Absence Policy, which shall be administered in accordance with applicable state and federal laws as follows:

1. Employees are eligible if they have been actively employed for 12 months, and have worked at least 1,250 hours over the previous 12 months. This 12-month period "rolls back" from the date of leave to the prior 12-month period.

2. Eligible employees may request one (1) or more family care or medical leaves, however, the total amount of leave taken cannot exceed 12 work weeks in any 12-month period. Under some circumstances, employees may take leave intermittently, *i.e.*, taking leave in separate blocks of time for a single qualifying reason or on a reduced leave schedule, reducing the employee's usual weekly or daily work schedule.
3. Leave will be granted to eligible employees for one or more of the following reasons:
  - For the birth and care of a newborn child of the employee
  - For placement with the employee of a son or daughter for adoption or foster care
  - To care for a spouse, son, daughter, or parent with a serious health condition
  - To take medical leave when the employee is unable to work because of a serious health condition
  - For qualifying exigencies arising out of the fact that the employee's spouse, son, daughter or parent is on covered active duty or called to active duty status as a member of the National Guard or Reserves in support of a contingency operation
4. Leave will also be granted to eligible employees who are the spouse, son, daughter, parent or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the service member. Eligible employees who are the family members of certain veterans with a serious injury or illness incurred or aggravated in the line of duty on active duty and that manifested before or after the veteran left active duty may also take up to a total of 26 workweeks of unpaid leave during a single 12-month period to care for the veteran. For purposes of this leave, a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness is a covered veteran if he or she: (1) was a member of the Armed Forces (including a member of the National Guard or Reserves); (2) was discharged or released under conditions other than dishonorable; and (3) was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for the veteran.
5. In appropriate circumstances, Staff Right may require the employee to be examined by a company-designated physician, at Staff Right's expense.
6. In the event of a serious health condition of the employee or his/her child, spouse, or parent creating a need for unforeseeable family or medical leave, the employee must provide Staff Right with notice as soon as practicable under the facts and circumstances of the particular case of any needed time off, as well as a written doctor's certificate. The certification must include the date on which the health condition occurred, the probable duration of the condition, an estimate of the amount of time the employee needs to be off work to care for the family member or for his/her own health condition, and confirmation that the nature of the condition warrants the employee to be away from work to care for his/herself or his/her dependent.
7. Employees are required to give 30 days advance notice in the event of a foreseeable medical treatment. To assist Staff Right in arranging work assignments during the employee's absence, Staff Right asks that employees give us prior notice, to the extent possible, of an expected birth or adoption, as well as an indication, to the extent known, of the expected return date. To facilitate

the employee's return to work, Staff Right also asks that employees provide two (2) weeks advance notification of the intended return date. Failure to do so may result in delay of the return date.

8. For purposes of this policy, a child is defined as a natural, adopted, or foster child, a stepchild or a legal ward. If the child is over 18 years old, he/she must be unable to care for himself/herself due to a serious illness. A parent is defined as the employee's or his/her spouse's natural, adoptive, or foster parent, stepparent, or legal guardian.
9. "Serious health condition" is defined by the Family Medical Leave Act ("FMLA"), and Staff Right will comply with the FMLA when considering requests for FMLA leave. If an employee is unsure whether he/she qualifies for FMLA leave, Staff Right can provide the employee with materials that specify what health conditions qualify for FMLA leave.
10. Upon completion of a leave granted under this section, the employee will be reinstated to his/her original position, or an equivalent one. If, due to the employee's own medical circumstances, he/she is no longer able to perform the essential functions of his/her original job, Staff Right will attempt to transfer the employee to alternate suitable work, if available.
11. Employees must use any accrued paid time off during family care or medical leave.
12. If additional family care or medical leave is required, the employee must, prior to expiration of the family care or medical leave, submit additional certification to Staff Right.

## **Drug and Alcohol Use**

### Drug-Free Workplace Policy

It is Staff Right's desire to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

While on Staff Right premises and while conducting business-related activities off Staff Right premises, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences.

Job applicants will be asked to provide body substance samples (such as urine and blood) to determine illegal use of drugs or alcohol. Any applicant who refuses to submit to or fails the drug test will not be accepted for employment.

Employees may be asked to submit to a drug test under the following circumstances:

- When there is a reasonable suspicion that the employee is using illegal drugs.
- When the employee has been involved in a work-related accident or injury
- When returning to work after completing a drug abuse rehabilitation program
- When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the employer's established policy, or that is scheduled routinely for all members of an employment classification or group
- As required by federal, state or other regulatory agencies, other types of testing required for certain employees, such as testing of company drivers or individuals in safety sensitive positions as required by D.O.T. regulations
- When the company elects to conduct internal random testing, through which employees are selected for testing using a non-discriminatory and impartial selection method

All information obtained in connection with drug testing will be kept confidential in compliance with the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Any employee who refuses to submit to drug testing, tampers with urine or other samples or tests positive for illegal drugs is subject to disciplinary action up to and including termination of employment.

It is the goal of Staff Right to maintain a drug-free workplace. To that end, and in the spirit of the Drug-Free Workplace Act of 1988, Staff Right has adopted the following policies:

1. The unlawful manufacture, possession, distribution, or use of controlled substances is prohibited in the workplace.
2. Employees who violate this prohibition are subject to corrective or disciplinary action as deemed appropriate, up to and including termination.
3. As an on-going condition of employment, employees are required to abide by this prohibition and to notify their supervisor, in writing and within five (5) days of the violation, of any criminal drug statute conviction they received.
4. If an employee receives such a conviction, Staff Right shall take appropriate personnel action against the employee/member, up to and including termination.
5. Staff Right provides information about drug counseling and treatment.
6. In order to maintain a safe workplace, Staff Right reserves the right to search and inspect employees' surroundings and possessions. including offices, files, desks, credenzas, lockers, bags, briefcases, containers, packages, parcels, boxes, tools and tool boxes, lunch boxes, any employer-owned or leased vehicles and any vehicles parked on company property.

A complete copy of Staff Right's Drug and Alcohol Policy is attached to this handbook as Appendix A. Questions concerning this policy should be directed to Staff Right's Business Manager.

## Use of Prescription or Non-prescription Medications

Staff Right is committed to providing a safe environment for its employees and clients. In furtherance of this goal, employees who need to use prescription or over-the-counter medications while at work must report this medical requirement to Staff Right's Business Manager if such use might impair or hinder the employee's ability to perform his/her job safely and effectively. This information will remain confidential in compliance with HIPAA. If Staff Right determines that the employee's use of prescription or over-the-counter medication may present a safety risk to other employees or the general public, Staff Right reserves the right to reassign the employee to another job, prohibit the employee from performing certain tasks or from working altogether until the employee can safely return to work.

## **Employee Conduct and Work Rules**

In order for Staff Right to function efficiently, we have established rules which govern how employees, managers and all other agents of Staff Right are to behave on the job, and how they are to perform their official duties. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following list, which is not comprehensive, provides examples of infractions of rules of conduct that may result in disciplinary action, up to and including immediate termination of employment:

- Theft or inappropriate removal or possession of property;
- Falsification of time records or company documents;
- Working under the influence of alcohol or illegal drugs;
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating Staff Right vehicles or equipment;
- Physical or verbal violence in the workplace;
- Negligence or improper conduct leading to damage of company or customer-owned property;
- Abuse, defacement, destruction, or misuse of company property;
- Insubordination or other disrespectful conduct including refusal of work assignments;
- Violation of safety or health rules;
- Operation of equipment or handling of material in a manner that is reckless or poses a threat to the safety and well-being of others;
- Smoking in prohibited areas;
- Sexual or other unwelcome harassment;
- Possession of dangerous materials, such as explosives, firearms, or other weapons in the workplace;
- Excessive tardiness, absenteeism or any absence without notice;
- Violation of the company drug testing policy;

- Unauthorized use of telephones, mail system, or other company equipment;
- Unauthorized disclosure of business "secrets" or confidential information;
- Violation of personnel policies of the job site to which the employee is assigned;
- Not completing assignments in accordance with the quality required by the company;
- Reckless driving while conducting company business ;
- Unsatisfactory performance or conduct;
- Use of profane or abusive language;
- Conflict with company interest;
- Possession of cell phones, radios, walky-talkies or any other type of personal communication device while working without express written permission from Staff Right.

Employees must also comply with the policies and procedures of the job site to which they are assigned. If you have a question regarding the policies of the job site to which you are assigned, please contact a Staff Right Manager.

### Disciplinary Actions

If it becomes necessary for Staff Right to deal with unacceptable behavior by an employee, Staff Right will ordinarily follow a system of progressive discipline. However, the type of discipline administered will be determined by the nature and circumstances of the violation as deemed appropriate in the sole discretion of Staff Right.

Discipline may include verbal warnings, written warnings, suspension without pay or termination.

No contractual rights, express or implied, are created by this provision. Employment is "at will" and may be terminated with or without cause, and with or without notice, at any time, at the option of either the company or the employee, except as otherwise provided by law. Staff Right also retains the right to alter an employee's status at-will (e.g., change of position, demote, adjust wages), with or without just cause.

### Verbal Warning

A verbal warning may be issued when the conduct of the employee is unacceptable, but not considered to require a more serious disciplinary step. Verbal warnings may be documented and included in the employee's personnel file.

### Written Warning

A written warning may be issued when the conduct of the employee does not at that time warrant suspension or discharge. Such warnings are considered serious matters, and each written warning becomes an official part of a employee's personnel record.

### Suspension

More serious misconduct or repetition of an offense for which a warning was previously issued may result in suspension without pay. Suspension without pay may be imposed when the safety of employees is threatened or jeopardized.

### Discharge

Repetition of an offense for which prior discipline has been imposed may result in discharge. It is important, however, to point out that an employee may be discharged without prior warning if Staff Right determines in its discretion that the nature or circumstances of the offense necessitate immediate discharge. Employees who are discharged from Staff Right for disciplinary reasons are not eligible for rehire, which could place other federal and/or state benefits in jeopardy.

## **Unlawful Harassment**

Staff Right is committed to maintaining a work environment that is free from discrimination where employees at all levels of Staff Right are able to devote their full attention and best efforts to the job. Harassment, either intentional or unintentional, has no place in the work environment. Accordingly, Staff Right does not authorize and will not tolerate any form of harassment of or by any employee (i.e., supervisory or non-supervisory) based on race, sex, religion, color, national origin, age, disability, or any other factor protected by law. The term “harassment” for all purposes includes, but is not limited to, offensive language, jokes, or other verbal, graphic or physical conduct relating to an employee’s race, sex, religion, color, national origin, age, disability, or other factor protected by law which would make the reasonable person experiencing such harassment uncomfortable in the work environment or which could interfere with the person’s job performance. This policy will be posted and distributed to all employees.

### Sexual Harassment

Sexual harassment may include:

- Physical assaults or physical conduct that is sexual in nature
- Unwelcome sexual advances or comments or requests for sex or sexual activities concerning one’s employment or advancement, regardless of whether they are accompanied by promises or threats
- Sexual displays on publications such as calendars, cartoons or graffiti
- Other verbal or physical conduct of a sexual nature which has the purpose or effect of interfering with an individual’s work performance, or creating an intimidating, hostile, or offensive work environment

Staff Right regards all such conduct as inappropriate. Examples of sexual harassment include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented “kidding,” “teasing” or “practical jokes,” jokes about gender-specific traits, foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another’s body; or reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.

## Other Forms of Harassment

Harassment based on a protected characteristic, including race, religion, color, national origin, age or disability is also prohibited. Such harassment may include any verbal, written, or physical act in which race, religion, color, national origin, age or disability is used or implied in a manner which would make a reasonable employee uncomfortable in the work environment or which would interfere with the employee's ability to perform the job. Examples of such harassment may include jokes that refer to race, religion, color, national origin, age or disability; the display or use of objects or pictures which adversely reflect on a person's race, religion, or national origin; or use of language which is offensive due to a protected characteristic.

## How to Report Instances of Harassment

Staff Right cannot resolve matters that are not brought to its attention. Any employee, regardless of position, who has a complaint of or who witnesses harassment at work by anyone, including supervisors, managers, or co-workers has a responsibility to immediately bring the matter to Staff Right's attention. Employees should communicate their complaint or observation of harassment to their supervisor at the job site to which they are assigned, as well as Staff Right's Controller, Angela Gentile, who may be contacted at 678-866-0995 (telephone), 678-730-0517 (facsimile) or angelag@staffrightus.com. If an employee is uncomfortable bringing a complaint to the individuals listed above, the employee may bring their complaint to Kim Dobbs (Staff Right's Chief Executive Officer), who may be contacted at 770-614-1627 or kimd@staffrightus.com, or any Staff Right manager. Managers should report any complaints received by them to Kim Dobbs.

## Complaint Resolution

Staff Right will thoroughly and promptly investigate all claims of harassment and take appropriate corrective action. Complaints of harassment will be kept as confidential as possible. No employee will be subjected to retaliation by Staff Right because he or she has reported what he or she believes to be an incident of harassment.

If you feel that Staff Right has not met its obligations under the policy, you should contact Kim Dobbs. An effective Anti-Harassment Policy depends on everyone working together to address this very important subject.

## **Resignation**

Resignation is a voluntary act initiated by the employee to terminate employment with Staff Right. Although advance notice is not required, Staff Right requests at least two (2) weeks written resignation notice from all employees.

Staff Right will consider an employee to have voluntarily terminated his/her employment if the employee:



1. Resigns from Staff Right;
2. Fails to return from an approved leave of absence on the date specified by Staff Right;
3. Fails to report to work or call in for three (3) or more consecutive work days; or
4. Leaves a job site before completing the scheduled shift without providing an explanation to a supervisor or Staff Right.

## APPENDIX A

### SUBSTANCE ABUSE POLICY STATEMENT

Staff Right is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Staff Right employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, Staff Right has established the following policy:

1. It is a violation of company policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
2. It is a violation of company policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.
3. It is a violation of company policy for any employee to report to work under the influence of or impaired by alcohol.
4. It is a violation of the company policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)
5. Violations of this policy are subject to disciplinary action up to and including termination.
6. EMPLOYEE ASSISTANCE

The Company offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. Employees are encouraged to use this resource file, which is located in the reception area of the Staff Right office. In addition, we will distribute this information to employees for their confidential use.

7. GENERAL PROCEDURES

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the

supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative - depending on the determination of the observed impairment - and accompanied by the supervisor or another employee if necessary. A drug test may be in order. An impaired employee will not be allowed to drive.

#### 8. OPPORTUNITY TO CONTEST OR EXPLAIN TEST RESULTS

Employees and job applicants who have a positive confirmed test result may explain or contest the result to the Company within five (5) working days after the Company contacts the employee or job applicant and shows him/her the positive test result as it was received from the laboratory in writing.

#### 9. CONFIDENTIALITY

The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

#### 10. PRE-EMPLOYMENT DRUG TESTING

All job applicants at this Company will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test will be denied employment.

Applicants will be required to submit voluntarily to a specimen test at a laboratory chosen by this Company, and by signing a consent agreement will release this Company from liability.

If the physician, official, or lab personnel has reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment.

This Company will not discriminate against applicants for employment because of a past history of drug abuse. It is the *current* abuse of drugs, preventing employees from performing their job properly, that this Company will not tolerate.

Individuals who have failed a pre-employment test may initiate another inquiry with the Company after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other specimen test selected by this Company.

#### 11. EMPLOYEE TESTING

This Company has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

- A. When there is reasonable suspicion to believe that an employee is using illegal

drugs or abusing alcohol. "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:

1. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
3. A report of substance abuse provided by a reliable and credible source;
4. Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
5. Information that an employee has caused or contributed to an accident while at work; or
6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

B. When employees have caused or contributed to an on-the-job injury that resulted in a loss of worktime, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. The company may also send employees for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to company property occurs.

C. As part of a follow-up program to treatment for drug abuse when an employee has involuntarily entered a rehabilitation program because of a positive confirmed test result. The frequency of such testing shall be a minimum of at least once a year for a two year period after completion of the rehabilitation program. Advance notice of testing shall not be given to the employee.

D. When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group.

E. Random testing is conducted without individualized suspicion of a violation of the company's substance abuse policy. Selection is made by neutral criteria so that all employees eligible for testing have an equal opportunity of being tested.

Employees with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed to submit another specimen for testing.

If the physician, official, or lab personnel has reasonable suspicion to believe that the

employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination.

## 12. ALCOHOL ABUSE

An employee who is under the influence of alcoholic beverages at any time while on company business or at any time during the hours between the beginning and ending of the employee's work day, whether on duty or not and whether on Staff Right business or property or not, shall be guilty of misconduct and is subject to discipline up to and including termination.

An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol, or if the employee has a blood alcohol level of 0.05 or higher.

Failure to submit to a substance abuse test also is misconduct and also shall be subject to discipline up to and including termination.

It is the responsibility of the Staff Right's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs, and the abuse of alcohol are incompatible with employment at Staff Right.