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**Field  
Personnel  
Handbook**

# Rand Construction Company

## Field Employee Handbook

Latest Release 02/13/09

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**ACKNOWLEDGEMENT AND RECEIPT OF HANDBOOK**

I, \_\_\_\_\_, acknowledge that I have received a copy/revised copy of Rand Construction Company, employee handbook. In addition, I acknowledge receipt of the Handbook dated 02/13/09 and all policies within the Employee Handbook.

I understand that I have an obligation to familiarize myself with the contents and provisions of this handbook, policy manual, work rules, practices and/or procedures of Rand Construction Company. I understand that **THIS HANDBOOK IS NOT AN EMPLOYMENT CONTRACT** and does not impose contractual obligations on the company or on me. I understand that **THIS HANDBOOK DOES NOT SUPERSEDE ANY CONTRACT AGREEMENT WITH THE UNION.** This handbook and policies herein may be changed at any time by management. I also understand that I am an at-will-employee, meaning that my employment is for no definite period of time and may be terminated by me or by the company at any time and for any reason.

**Signature** \_\_\_\_\_

Date \_\_\_\_\_

Print name below as it reads on your social security card

\_\_\_\_\_

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### **PREFACE**

This employee handbook is an informational statement on Rand Construction Company's present policies, procedures and benefits. The policies in this handbook should be regarded as management guidelines only, which, as the company grows and develop, will require changes from time to time. The company retains the right to make decisions involving employment as needed. This handbook supersedes and replaces all prior employee handbooks.

Rand Construction Company abides by employment-at-will, which permits the company or the employee to terminate the employment relationship at any time, for any reasons. Neither the policies contained in this employee handbook, nor any other written or verbal communication is intended to create a contract of employment or a warranty of benefits.

Any questions concerning this handbook, or problems arising from your employment or benefits, should be directed to your direct manager or the Office/Human Relations Manager, Kelly Monaghan.

**MISSION STATEMENT**

Our mission is:

- To provide the highest quality of service to our customers and the community.
- To dedicate ourselves to providing the highest level of craftsmanship to the professional community.
- To continue to use sound business practices in order to provide safe, innovative, high quality, timely and cost effective projects.
- To provide a professional work environment based on principles of mutual respect, collegiality and competitiveness.

**JOB SITE APPEARANCE**

The task of keeping the work area and all other spaces clutter free and attractive lies with each employee. If anything is in need of repair, please notify your immediate foreman. It is the responsibility of each employee to see that his or her workspace is clean and free of any safety hazards each night before leaving for the day.

**CONFIDENTIALITY**

Information with respect to the Company's business, including all non-public information of any kind concerning the Company's or its customers, vendors and suppliers, is strictly confidential and must not be given to persons who are not employed by Rand Construction Company. As set forth in the Company's Confidentiality Agreement, which may be amended from time-to-time, unauthorized dissemination of confidential information is prohibited. Employees should protect confidential information by taking the following precautionary measures:

- Discuss work matters only with other Company employees;
- Do not discuss work matters in public places;
- Closely monitor and supervise visitors to the Company to ensure that they do not come in contact with confidential information;
- Destroy hard copies of confidential information that is not filed or archived;
- Secure confidential information in desk drawers and cabinets at the end of every business day.
- Be careful in email or voicemail communications. These sources are not necessarily secure methods of communication and may be shared with others. Use caution in using "reply all" button on emails.

The above is particularly important because of the Company's obligation to protect the security of our clients', employees' and our own confidential records. Sound judgment and good common sense should be applied, but if at any time you are uncertain as to whether or not you can properly divulge information or answer questions please refer the matter to an officer of the Company. Any employee who violates the confidentiality of employee information and/or company records is subject to serious disciplinary action, including up to termination.

**CONFLICT OF INTEREST/BUSINESS CONDUCT AND ETHICS**

Employees must avoid any interest, influence, or relationship which might conflict, or appear to conflict, with the best interests of Rand Construction Company, or which might affect your judgement or loyalty. You must avoid any situation in which your loyalty may be divided, and to promptly disclose any situation where an actual or potential conflict may exist.

Examples of potential conflict situations include:

- Ownership or a significant financial interest in, or other relationship with, a supplier to Rand Construction Company.
- Knowingly purchasing goods from, or sell goods to, a relative, or hire a relative, without full disclosure to and permission of your supervisors at Rand.
- Having a financial interest in any business transaction with Rand Construction Company.
- Accepting gifts, entertainment, or other benefit of more than a nominal (\$100.00) value from a supplier to the company.

Anyone with a conflict must disclose the conflicting interest to management, and remove themselves from negotiations, deliberations or votes involving the conflict. You may, however, state your position and answer questions when your knowledge may be of assistance.

No employee may accept a gift or gratuity valued in excess of \$100.00 from any customer, vendor, supplier or other person doing business with the Company. Please discuss expenses paid by such persons for business meals or trips with management in advance. In no event may a gift, gratuity or expense payment influence a business decision, transaction or service.

**REFER TO RAND CONSTRUCTION CODE OF BUSINESS ETHICS POLICY AND TRAINING FOR FURTHER DETAILS.**

**ANTI-DISCRIMINATION**

Rand Construction Company is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available persons in every job. Company policy prohibits unlawful discrimination based on race, color, creed, sex, religion, marital status, age, national origin or ancestry, physical or mental disability, medical condition, sexual orientation, or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful.

Rand is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in the operations of the Company and prohibits unlawful discrimination by any employee of the Company, including supervisors and co-workers.

If you believe you have been subjected to any form of unlawful discrimination, provide a written complaint to the EEO Officer, Kelly Monaghan as soon as possible. Your complaint should include details of the incident(s) and should include the names of the individuals involved and the names of any witnesses. Rand will immediately undertake an investigation of the discrimination allegations. The matter will be handled on a confidential basis involving only those with a need to know or to participate in the investigation. Any request for anonymity will be considered.

If the Company determines that unlawful discrimination has occurred, remedial action will be taken in accordance with the circumstances involved. An employee determined by the Company to be responsible for unlawful discrimination will be subject to appropriate disciplinary action, including termination. Rand will not retaliate against someone filing a complaint and/or providing information on an investigation and will not permit retaliation by management, employees or co-workers.

Rand Construction Company encourages all employees to report any incidents of discrimination forbidden by this policy immediately so that complaints can be quickly and fairly resolved. We will not tolerate unlawful discrimination or harassment against our employees or applicants for employment. Any person found providing false/fraudulent information will be subject to appropriate disciplinary action up to termination.

You also should be aware that the Federal Equal Employment Opportunity Commission, and the Missouri Human Rights Commission investigate and prosecute complaints of prohibited discrimination in employment. If an employee thinks they have been discriminated against or that they have been retaliated against for resisting or complaining, they may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

**AMERICAN W/DISABILITIES ACT**

It is Rand Construction Company's policy that we will not discriminate against qualified individuals with disabilities with regard to any aspect of their employment. Rand recognizes that some individuals with disabilities may require accommodations at work. If you are currently disabled or become disabled during your employment, you should contact your supervisor and/or the Office/Human Relations Manager, Kelly Monaghan, to discuss reasonable accommodations that may enable you to perform the essential functions of your job.

**IMMIGRATION LAW COMPLIANCE (INS FORM I-9)**

Rand Construction Company is committed to full compliance with the federal immigration laws. These laws require that individuals pass an employment verification procedure before they are permitted to work. This procedure has been established by law and requires that every individual provide satisfactory evidence of his/her identity and legal authority to work in the United States before employment begins. As a government contractor all new hires must go through the procedure of electronic verification with the Department of Homeland Security (DHS) and Social Security Administration (SSA) within three days of hire. This may include evidence of a citizenship, work visa, social security card or a valid driver's license or state identification card for verification purposes.

**UNION EMPLOYEES/REPRESENTATION**

Rand Construction Company recognizes the union as a representative for those workers who are unionized. This handbook does not change any terms or stipulations of the collective agreement negotiated by the union. It has been created in full accordance with management's agreement with the union. Qualified union employees will be hired, as positions are available.

**EMPLOYMENT-AT-WILL**

We hope that each employee's period of employment at Rand can be a rewarding experience. However, we recognize that circumstances change with the passage of time and that some employees may seek opportunities elsewhere or choose to leave the company for other reasons.

Other employees may not fulfill the operational needs of the company or changed circumstances may reduce available employment opportunities, which may result in involuntary termination.

We sincerely hope that none of these situations occur, but realistically we have to acknowledge that the possibility does exist. Therefore, the right of the employee or the company to terminate the employment relationship at will is recognized and affirmed as a condition of employment.

At will means that both employees and Rand Construction Company have the right to terminate employment at any time, with or without advance notice, and with or without cause.

**DRUG-FREE WORKPLACE/SUBSTANCE ABUSE TESTING**

Rand Construction Company strives to maintain a safe and healthy environment for our customers and our employees. Therefore, no employee shall work, report to work or be present on company premises, or engage in company business at any location while under the influence of alcohol or controlled substances that could affect job safety or performance.

The unlawful or unauthorized manufacture, distribution, dispensation, possession, sale or use of alcohol or controlled substance on company premises or while engaged in official company business is also strictly prohibited.

Any violation of this substance abuse policy may result in disciplinary action, up to and including discharge.

Rand Construction Company reserves the right to take any action, including requiring an employee to submit to drug and alcohol testing, if the company believes there is reasonable suspicion that an employee has violated the substance abuse policy. An employee's consent to submit to such a test is required as a condition of employment. The refusal to consent to alcohol or drug testing may result in disciplinary action, including termination. A mandatory urinalysis may be given once a year at the Companies expense. Random drug testing may also be given at the Companies expense. After every reported accident at the work place resulting in injury the affected employee will be required to take a drug and alcohol test, **NO EXCEPTIONS**. Drug testing will take place within 24 hours.

In addition, Rand Construction Company may conduct searches without further notice for illegal drugs or alcohol on company premises or at company work sites. Such searches may be conducted at any time and need not be based on reasonable suspicion. Employees are expected to fully cooperate in such searches. An employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

**SUBSTANCE ABUSE POLICY**

Rand Construction has a Substance Abuse Policy prohibiting the unlawful manufacturing, distribution, transfer, dispensation, possession or use of illegal or unauthorized drugs and alcohol. Furthermore, this policy states that an Employee will be required to submit to testing, including but not limited to, a urine drug screen test in the following circumstances:

1. When a supervisor has a reasonable suspicion that an Employee shows signs of possible intoxication, having used or being under the influence of drugs or alcohol or other facts that would lead a prudent supervisor to suspect an Employee's physical condition at work.
2. If such Employee suffers an occupational on-the-job injury or following a serious or potentially serious accident or incident in which safety precautions were violated, unsafe instructions were given, equipment or premises were damaged, unusually careless acts were performed, or failure to wear prescribed personal protection equipment.
3. A customer requires pre-site drug and alcohol testing.
4. Testing may be required as part of a follow-up to counseling or rehabilitation for substance abuse. Employees returning to work after successfully completing a rehabilitation program will be subject to up to four drug/alcohol tests without prior notice or as may be recommended by the testing medical health professional during the first twelve (12) months after returning to work.
5. The collective bargaining agreement permits random screening.

Any employee, who tests positive, will be offered an opportunity to seek assistance, and will be suspended from work, without pay, until the employee can successfully pass a drug test. Employees participating in or successfully completing a rehabilitation or counseling program, will be assigned or reassigned job duties based on the availability of work and other relevant factors.

Rand has the interest of all employees/parties in mind. Therefore, we encourage any employee with a substance abuse problem to come forward and voluntarily accept assistance in dealing with the illness. The employee assistance program through the employee's Local, with the support of Rand, will provide guidance and direction for the employee during their recovery period. If the employee volunteers for help, Rand will make every reasonable effort to return the employee to the work upon the employees recovery.

All actions taken under this policy and program will be strictly confidential and disclosed only to those with a "need to know".

## **SAFETY PROCEDURES**

It is the intention of Rand Construction Company to provide a safe environment for all employees and customers. To ensure this, all employees are encouraged to be aware of dangerous situations and health risk in the work place. All concerns should be forwarded to the Safety Director, Aaron Beisly, or your immediate supervisor.

All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to your manager. ALL accidents/injuries/illness are to be reported IMMEDIATELY to your supervisor or another supervisor at the site. In the case you are unable to report the accident to a foreman/supervisor contact Aaron Beisly, Safety Director at 816-985-7541 or Kelly Monaghan, Human Relations Manager in the office at 816-421-4143. If you or another employee is injured, you should contact outside emergency response agencies, if needed. Even if an injury does not require medical attention, an Injury/Illness Report Form must still be completed in case medical treatment is later needed and to insure that any existing safety hazards are corrected.

Federal law (Occupational Safety and Health Administration) requires that we keep records of all illnesses and accidents that occur during the workday. Any employee's failure to notify the appropriate Company officials promptly and fully of all details concerning a work related injury/illness might be cause for his or her worker's compensation benefits to be denied or affected. OSHA also provides for your right to know about any health hazards that might be present on the job.

Should you have any questions or concerns, contact your supervisor for more information.

**SAFETY DISCIPLINARY POLICY**

- 1) All employee's must comply with the Safety Rules and standards established by the corporation and the customers we serve.
- 2) The company expects each of its employees to adhere to the highest standards of personal conduct. When an employee fails to follow Safety standards, violates Safety rules of the corporation and our customers or deviates from the norms of safe behavior Rand Construction will take any necessary disciplinary action warranted including up to immediate termination.
- 3) Other-than-serious hazard disciplinary action:
  - a. 1<sup>st</sup> offense-Verbal warning
  - b. 2<sup>nd</sup> offense-Employee will be written up
  - c. 3<sup>rd</sup> offense –Employee will be written up and suspended up to 5 days without pay
  - d. 4<sup>th</sup> offense-Termination
- 4) Serious and Imminent Danger Violation: The disciplinary action will depend on the opinion of the Safety Director and/or the Supervisor of the employee and/or the Customer.
- 5) PPE: If an employee is found not wearing their Personal Protective Equipment in accordance with the company policy, they will be giving a verbal warning the 1<sup>st</sup> offense, Written up the 2<sup>nd</sup> offense, Suspended with out pay up to 5 days on the 3<sup>rd</sup> offense, and Terminated on the 4<sup>th</sup> offense.

Other-than-serious hazard means any condition or practice which would be classified as an other-than-serious violation of applicable federal or state statutes, regulations or standards, based on criteria contained in the current OSHA field instructions or approved State Plan counterpart.

Serious hazard means any condition or practice which would be classified as a serious violation of applicable federal or state statutes, regulations or standards, based on criteria contained in the current OSHA field instructions or approved State Plan counterpart, except that the element of employer knowledge shall not be considered.

Imminent danger means any conditions or practices in a place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately.

All violations will be sent to the Union Hall to be put on each employee's record.

**SEE PAGE 33 FOR OTHER DISCIPLINARY POLICIES OR ACTIONS.**

### **ACCIDENT/INJURY REPORTING**

Missouri law guarantees certain benefits to employees who are injured or become ill because of their jobs. It is the responsibility of the employee to report the injury or illness to a foreman at the site immediately. In the case you are unable to report the accident to a foreman contact Aaron Beisly, Safety Director at 816-985-7541 or Kelly Monaghan, Human Relations Manager in the office at 816-421-4143.

If the injury/illness requires evaluation and/or treatment outside of basic first aid (kit provided at the site) the foreman/supervisor/Aaron Beisly are to direct the employee to the appropriate facility for medical attention. If you want treatment from a medical provider other than those that are approved by management you must get authorization from the employer prior to treatment. Failure to obtain approval may result in a self-incurred medical expense upon the employee's part.

A Report of Injury/Illness form is to be completed immediately following the accident. All forms are to be completed, reviewed and signed by the foreman/manager taking the report from the injured employee.

Any employee's failure to notify the appropriate Company officials promptly and fully of all details concerning a work related injury or illness and/or treatment might be cause for his or her worker's compensation benefits to be denied or affected.

It is the policy of Rand Construction Company to investigate each and every claim. Any report of a work-related injury/illness not submitted immediately may result in the claim being submitted to the insurance carrier as a "questionable claim".

Every reported accident will require the employee to undergo a drug and alcohol test prior to returning to the work place, **NO EXCEPTIONS**. In addition, no employee will return to work without a "return to work" notice from the attending physician. Should restrictions of work task apply to returning to work, the Project Manager, Superintendent/Foreman and the injured employee will review acceptable task within the restrictions. Failure to follow restrictions as agreed could also result in denial or affected benefits.

**RETURN TO WORK PROCESS**

Rand Construction Company is committed to providing a safe and healthy workplace for our employees. Preventing injuries and illnesses is our primary objective.

If an employee is injured, we will use our return to work process to provide assistance. We will get immediate, appropriate medical attention for employees who are injured on the job and will attempt to create opportunities for them to return to safe, productive work as soon as medically possible.

Our ultimate goal is to return injured employees to their original jobs. If an injured employee is unable to perform all the tasks of the original job, we will make every effort to provide alternative productive work that meets the injured employee's capabilities.

The support and participation of management and all employees are essential for the success of our return to work process.

When possible, after medical evaluation following a work related injury, the employee, supervisor and the Safety Director, Aaron Beisly will work together to coordinate the restrictions, if any, and the demands at the work site to accommodate the attending physicians orders. Rand management will make every effort to accommodate orders of the attending physician.

**Employee responsibilities:**

- Make sure you understand your company's procedure for reporting injuries.
- If you are injured, tell your doctor that alternative work may be available to you. Your supervisor may ask you to take a letter from work to your doctor. The letter will explain your company's return to work process.
- Employee should have a Post-Accident drug screening performed by treatment facility before returning to work. **NO EXCEPTIONS.**
- If a doctor restricts you from working, call the Human Resource Manager, Aaron Beisly, once a week to let them know how you are doing.
- If the doctor releases you to work, return to work on the next scheduled shift with a WRITTEN RETURN TO WORK RELEASE document.
- If the doctor gives you medical restrictions for an alternative productive work assignment, follow the doctor's orders. **NO EXCEPTIONS.**

**Supervisor/Safety Director responsibilities:**

- Train employees on proper reporting of incidents and injuries and return to work procedures.
- Go with injured employee to the doctor. Tell the doctor about your company's return to work process and provide the doctor with an explanatory letter.

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- Provide information to your company's Safety Director, Aaron Beisly.
- Help create alternative work assignments that are meaningful and productive at the work site.
- Make sure the injured employee is following the physician's restrictions.
- Do not allow the employee to return to work, even with restrictions, without a written RETURN TO WORK RELEASE.

### **Health care provider responsibilities:**

- Provide immediate and appropriate medical care to the injured employee.
- Assess the abilities of the injured employee.
- Provide the employee with physical restrictions to follow when doing job functions.
- Provide written information about the employee's work capabilities to the employer and Safety Director, Aaron Beisly.
- Become familiar with operations of the employee's workplace.

### **Human Relations Manager responsibilities:**

- Act as the employer's representative.
- Maintain contact with the health care provider, the insurance company, the employee and the employee's supervisor.
- Develop and maintain recordkeeping and reporting systems for incidents and injuries.

### **Insurance company responsibilities:**

- Assign a benefit administrator to make a "three point" contact with the injured employee, doctor and employer.
- Provide workers' compensation benefits to the injured employee.
- Provide detailed information about the return to work process.

**PERSONAL PROPERTY**

Rand Construction Company is not responsible for loss or damage of your personal property. It is suggested that you use precautionary measures in safekeeping any valuables that you bring to work.

**EMPLOYER PROPERTY**

Desks, computers, vehicles and other property provided at the company are Company property and must be maintained according to Company rules and regulation. They must be kept clean and are to be used only for work-related purposes. The Company reserves the right to inspect all Company property to ensure compliance with its rules and regulations, without notice to the employee and/or in the employee's absence.

Voice mail and/or Electronic mail (E-mail) are to be used for business purposes only. The Company reserves the right to listen to voice mail messages to access E-mail messages to ensure compliance with this rule, without notice to employee and/or in the employee's absence.

It may be necessary to assign and/or change "passwords" and personal codes for the (voice mail, E-mail, computer). These items are to be used for company business and they remain the property of the company. The company may keep a record of all passwords/codes used and/or may be able to override any such password system.

If you are assigned a corporate credit card you are REQUIRED to submit receipts within 30 days of charge to card for approval. Receipts must be submitted to Accounts Payable Department, in the office. If the receipts are not submitted you could be responsible for the cost of the items purchased.

Prior authorization must be obtained before any Company property may be removed from the premises. All Company property such as equipment, tools, etc. used for personal use will be the responsibility of the employee if damaged while in the employee's control. This includes, but is not limited to, flat tires, gasoline, etc.

Any employee given corporate property, including pagers, cellular telephones, keys, security cards, company credit cards, etc. will be required to sign an acknowledgement document at the time of receipt. If the employee loses company property they may be held financially responsible for the replacement of lost items.

For security reasons, employees should not leave personal belongings of value in the workplace. Personal items are subject to inspection and search, with or without notice, with or without the employee's prior consent.

Terminated employees should remove any personal items at the time they leave the company. Personal items left in the workplace by previous employees are subject to disposal if not claimed at the time of employee's termination.

## **PERSONNEL FILES**

The policy of Rand Construction Company is to protect personal data the organization may have so as to provide privacy for the individual employee. A confidential history of your employment is maintained in the Human Relations Department. Access to employment records is limited to management and appropriate human relations personnel. Employee files may not be removed from the office. Employees will be permitted to review their personnel files as permitted by applicable laws with specific provisions set by the Human Relations Department.

An employee's original personnel file consists of the employee's employment application, resume (if submitted), withholding forms, reference checks, emergency information, any performance appraisals, disciplinary action notices, special commendation information, educational achievement records, status changes affecting employee's work and salary history, signed/witnessed copy of the acknowledgement or Receipt of Employee Handbook, benefits data or other appropriate employment-related documents. It is the employee's responsibility to notify the Payroll Department of any changes in name, address, telephone number, marital status, number of dependents, authorized payroll deductions, military service status, beneficiaries, person to notify in case of an emergency and driving record (if employee drives a vehicle while on company time).

The personnel file of an employee terminating employment will be maintained in accordance with applicable state and federal laws.

Misrepresentation of any fact of your application or in your personnel file is sufficient reason for dismissal.

**SECURITY**

Rand Construction Company is committed to ensuring employees' security. Our premises are equipped with security alarms (active outside working hours). Employees requiring access to the building after hours will be given a pass code with executive approval. This code must be used when entering or leaving the building during non-working hours. If an employee leaves the Company their pass code will be deleted and company keys issued are to be returned.

**SMOKING POLICY**

Smoking cigarettes, cigars and pipes are a fire and health hazard and are prohibited in all office areas occupied, company owned vehicles or where fuel/flammable material is stored by Rand Construction Company. In the case restrictions of smoking at a specific job site are clear under contract obligations smoking will be prohibited by Rand employees at the designated site.

All employees, customers and visitors are expected to comply with this policy. Employees violating this policy will be subject to disciplinary action.

### **USE OF ELECTRONIC MEDIA**

The company has strict policies with regard to the use of electronic data and communications systems by its personnel. This policy covers, but is not limited to, use of computers, telephones (cellular, cordless, etc.), fax machines, voicemail, e-mail, all online services paid for by the company or its customers, Internet, World Wide Web. All electronic communications, including all software and hardware, remain the sole property of the company and are to be used for company business only and not for any personal use.

Electronic communication/media may not be used in any matter that would be discriminatory, harassing or obscene, or for any other purpose, which is illegal, against company policy or not in the best interest of Rand Construction Company.

Employees who misuse electronic communications and engage in defamation, copyright or trademark infringement, misappropriation of trade secrets, discrimination, harassment or related actions will be subject to immediate termination.

Employees may not install personal software in company computer systems without prior approval from supervisor. All electronic information created by any employee using any means of electronic communication is the property of the company and remains the property of Rand. Personal passwords may be used for purposes of security, but the use of a personal password does not affect the company's ownership of the electronic information.

Rand will override all personal passwords if it becomes necessary to do so for any reason.

The company reserves the right to access and review electronic files, messages, mail, etc. and to monitor the use of electronic communications as is necessary to ensure that there is no misuse or violation of company policy and/or any law.

Employees are not permitted to access the electronic communications of other employees or third parties unless directed to do so by company management.

Employees who use cell phones; cordless phones, portable computers and fax communications should not use these methods for communicating confidential or sensitive information or any trade secrets. **NO CELL PHONES WITH CAMERA/PHOTOGRAPHY CAPABILITIES ARE ALLOWED ON ANY JOB SITE.**

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Access to the Internet, Web sites and other types of company-paid computer access are to be used for company related business only. The President or Office Manager must approve any information about the company, its products or services, or other types of information that will appear in the electronic media about the company before the information is placed on an electronic information source.

All inquiries about access to electronic communications or issues related to security should be directed to Kelly Monaghan.

**SOLICITATION AND DISTRIBUTION OF LITERATURE**

In order to ensure efficient operation of Rand's business and to prevent annoyance to employees, it is necessary to control solicitations and distribution of literature on Company property. Rand has established rules applicable to all employees governing solicitation, distribution of written material and entry onto the premises and work areas. All employees are expected to comply strictly with these rules. Any employee who is in doubt concerning the application of these rules should consult with his or her supervisor immediately.

No employee shall solicit or promote support for any cause or organization during his or her working time or during the working time of the employee or employees at whom such activity is directed.

No employee shall distribute or circulate any written or printed material in work areas at any time, or during his or her working time or during the working time of the employee or employees at whom such activity is directed.

Under no circumstances will non-employees be permitted to solicit or to distribute written material for any purpose on Rand property.

**CONDUCTING PERSONAL BUSINESS**

Employees are to conduct only company business while at work. Employees may not conduct personal business or business for another employer during their scheduled working hours.

**VEHICLE FLEET SAFETY AND  
EMPLOYEE DRIVING REQUIREMENTS POLICY**

The purpose of this Policy is to ensure the safety of those individuals who drive company vehicles. Vehicle accidents are costly to our company, but more importantly, they may result in injury to you or others. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, the Company endorses all applicable state motor vehicle regulations relating to driver responsibility. The Company expects each driver to drive in a safe and courteous manner pursuant to the following safety rules. The attitude you take when behind the wheel is the single most important factor in driving safely.

**Driver Eligibility**

- In the event that an employee is involved in an accident while driving his/her own vehicle on company business, your employer may be liable if you do not have insurance or if the loss exceeds your policy limits. Employees who use their personal vehicles for company business are required to carry adequate limits of liability, with a suggested minimum of \$100,000 for property damage and \$300,000 for bodily injury. A copy of the declaration page of your personal automobile insurance policy must be provided to Kelly Monaghan, Human Resource /Office Manager, annually at your renewal date.
- Drivers must have a valid driver's license for the type of vehicle to be operated, and keep the license(s) with them at all times while driving. All CDL drivers must comply with all applicable D.O.T. regulations, including successful completion on medical, drug, and alcohol evaluations.
- Company vehicles are to be driven by authorized employees ONLY, except in emergencies, or in case of repair testing by a mechanic. Other employees and family members are not authorized to drive the Company vehicle.
- Company vehicles are to be driven for Company Business ONLY. Personal use of company vehicles is prohibited. No unauthorized persons are allowed to ride in company vehicles.
- Any employee who has a driver's license revoked or suspended shall immediately notify Kelly Bittner and discontinue operation of the company vehicle. Failure to do so may result in disciplinary action, including dismissal.
- All accidents involving Company vehicles, regardless of severity, must be reported to the police and to Kelly Bittner or Linda Christian. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including dismissal.
- The use of a company vehicle while under the influence of intoxicants and other drugs is forbidden and is sufficient cause for discipline, including dismissal.
- All drivers and passengers operating or riding in company vehicles must wear seat belts, even if air bags are available.
- Motor Vehicle Records will be ordered periodically to assess driving records. An unfavorable record will result in the loss of company vehicle driving privileges or employment. A standard method of evaluation for all prospective and current drivers' MVRs will be used.
- Drivers are responsible for the security of Company vehicles being used by them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the

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vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.

- Report any mechanic difficulties or repair needs to Ken Hageman.
- **No cellular devices are to be used by employees of Rand while operating a company vehicle or a vehicle on company business.**

Employees who are required to drive a company vehicle or their own vehicle on company business must provide the company with current and acceptable motor vehicle driving information (i.e., current driver's license and current effective insurance coverage). Employment and/or assignment will be conditional pending the receipt of a satisfactory report from the Department of Motor Vehicles.

Rand retains the right to transfer to an alternative position, suspend or terminate an employee whose license is revoked, or who fails to maintain personal automobile insurance coverage or who is uninsurable under the company's policy.

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### Employee Authorization for MVR Review

I acknowledge that the information contained in Rand Construction Company's Vehicle Fleet Safety and Employee Driving Requirements Policy has been reviewed with me, and a copy of the policy and driver rules have been furnished to me. As a driver of a company vehicle, I understand that it is my responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage.

I also understand that my employer will periodically review my Motor Vehicle Record to determine continued eligibility to drive a company vehicle or my own vehicle for company business. In accordance with the Fair Credit Reporting Act, I have been informed that a Motor Vehicle Record will be periodically obtained on me for continued employment purposes.

I will not drive a vehicle during working hours for the purpose of conducting business as a representative of Rand Construction Company.  
*(You will need to sign and print your name below for confirmation.)*

**I acknowledge the receipt of the above disclosure and authorize my employer or its designated agent to obtain a Motor Vehicle Record report. This authorization is valid as long as I am an employee or employee candidate and may only be rescinded in writing.**

\_\_\_\_\_  
PRINT - EMPLOYEE'S NAME

\_\_\_\_\_  
DRIVER'S LICENSE NUMBER

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

DATE

\_\_\_\_\_  
REVIEWER'S SIGNATURE

DATE

(Sign and retain the original copy in the employee's file)

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### Driver Eligibility Requirements

- ALL TYPE 'A' VIOLATIONS (as defined below) WILL RESULT IN TERMINATION OF DRIVING PRIVILEGES FOR EMPLOYEES AND WILL DISQUALIFY ANY POTENTIAL DRIVER EMPLOYEES.
  
- ANY DRIVERS (EMPLOYEES OR APPLICANTS) SHOWING ONE OF THE FOLLOWING WILL BE RESTRICTED FROM DRIVING COMPANY VEHICLES.
  - One (1) or more type 'A' Violations in the past 5 years
  - Three (3) or more accidents (regardless) of fault in the last 5 years.
  - Three (3) or more 'B' violations in the past 5 years.
  - Any combination of accidents and type 'B' violations which equal Four (4) or more in the last 5 years.

### **Type 'A' Violations:**

- Driving While Intoxicated
- Driving While Under the Influence of Drugs
- Negligent Homicide Arising out of the use of a Motor Vehicle (gross negligence)
- Operating During a period of Suspension or Revocation
- Using a Motor Vehicle for the commission of a Felony
- Aggravated Assault with a Motor Vehicle
- Operating a Motor Vehicle Without the Owners Authority (grand theft)
- Permitting an Unlicensed Person to Drive
- Reckless Driving
- Speed Contest (racing)
- Hit and Run (Bodily Injury or Property Damage)

### **Type 'B' Violations:**

All Moving Violations not listed as type 'A' Violations.

## **DISCIPLINARY PROCEDURE**

The company expects each of its employees to adhere to the highest standards of personal conduct including his or her involvement with Company personnel and external customers/vendors. On occasions when an employee fails to meet performance standards, violates the rules of the corporation or deviates from the norms of good conduct Rand Construction will take any necessary disciplinary action warranted.

The decision of whether to use discipline and what type of discipline to use will be based on the judgment of management regarding the conduct/performance of the employee, the record of the employee and the circumstances of the case. Some types of conduct or performance may result in a written warning, suspension or immediate termination of employment with no prior discipline.

Discipline for an employee may consist of one or more of the following actions:

1. **Verbal warning:** The supervisor will discuss with the employee the nature of the problem and action deemed necessary to correct it. Future consequences are discussed in terms of future disciplinary action should the problem continue. A verbal warning is documented and made part of the employee's personnel file.
2. **Written Warning:** A second infraction, whether associated with the first infraction or a different type of behavior or performance issue, can result in a written warning. The supervisor will discuss with the employee the nature of the problem and the action deemed necessary to correct it. Future consequences are discussed in terms of further disciplinary action should behavior/performance issues continue. A written warning is signed and dated by both the employee and the supervisor and made a part of the employee's personnel file.
3. **Suspension Without Pay:** Depending on the infraction or situation, management may suspend the employee without pay. Unpaid suspensions may be for up to 3 days. If applicable, no employee benefits shall be paid or accrued to any employee while suspended. An employee suspension record is documented and made part of the employee's personnel file.

All disciplinary action taken against an employee will reflect negatively on routine evaluation and/or merit increases.

As previously mentioned, the decision to discipline or terminate an employee will be based on the judgement of management regarding the conduct/performance of the employee, the record of the employee and the circumstances of the case.

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Typical reasons for disciplinary action up to termination include, but are not limited to:

1. Unsatisfactory work performance or failure to satisfy conditions of employment violation of computer and/or software usage policies;
2. Being dishonest;
3. Habitual absence or tardiness without bona fide reason, authorization, or proper reporting or leaving work without authorization;
4. Falsification of employment application or any other Company records or documents;
5. Failure to record working time accurately or the recording of a co-worker's time sheet;
6. Insubordination or other refusal to perform or neglect of duty;
7. Use of vulgar, profane or obscene language including any communication or action that violates company policy against employment discrimination or harassment;
8. Disorderly conduct, fighting or other acts of violence;
9. Misuse, destruction, stealing or removal of company property or property of other employees without prior consent;
10. Possessing, entering with or using weapons on company property;
11. The presence, possession, sale, use or reporting to work under the influence of alcohol, controlled substances or illegal drugs on company property or on company time;
12. Unauthorized removal or disclosure of confidential company information relating to Rand Construction business and/or employee records;
13. The giving or taking of bribes of any nature;
14. Commission of a crime;
15. Willful violation or disregarding of any safety regulations;
16. Refusal to comply with company rules;
17. Discussion of salary and/or company compensation;
18. Sleeping on the job during work hours;
19. Abuse of break or lunch breaks;
20. Other serious job-related behavior or performance problems.

Terminated employees will not be considered for rehire.

**SEE PAGE 16 FOR SAFETY DISCIPLINARY POLICY FOR DETAILS ON ACTION FOR A SAFETY VIOLATION.**

**ANTI-HARASSMENT**

Rand Construction Company is committed to providing a work environment free of unlawful harassment. The Company policy prohibits sexual harassment, and harassment based on pregnancy, childbirth or related medical conditions, race, religious creed, color, national origin or ancestry, physical or mental disability, medical condition, marital status, age or any other basis protected by federal, state or local law or ordinance or regulation. All such harassment is unlawful. The Company's anti-harassment policy applies to all persons involved in the operation of the Company and prohibits unlawful harassment by any employee of the Company, including supervisors and co-workers.

Prohibited unlawful harassment includes, but is not limited to, the following behavior:

- a. Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- b. Visual conduct such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- c. Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
- d. Threats and demands to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
- e. Retaliation for having reported or threatened to report harassment.

If you believe that you have been unlawfully harassed, provide a written complaint to the EEO Officer, Kelly Monaghan as soon as possible after the incident. Your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. The Company will immediately undertake an investigation of the harassment allegations.

If Rand Construction Company determines that unlawful harassment has occurred, remedial action will be taken in accordance with the circumstances involved. Any employee determined by the Company to be responsible for unlawful harassment will be subject to appropriate disciplinary action, up to and including termination. Any person found providing false/fraudulent information will be subject to appropriate disciplinary action up to termination. A Company representative will advise all parties concerned of the results of the investigation. The Company will not retaliate against you for filing a complaint and will not tolerate or permit retaliation by management, employees or co-workers.

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The Company will also endeavor to protect employees to the extent possible, from reported harassment by non-employees in the workplace.

Rand encourages all employees to report any incidents of harassment forbidden by this policy immediately so that complaints can be quickly and fairly resolved. You also should be aware that the Federal Equal Employment Opportunity Commission, and the Missouri Commission on Human Rights investigate and prosecute complaints of prohibited harassment in employment. If you think you have been harassed or that you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

**COMPLAINT PROCEDURE**

Rand Construction Company encourages employees to bring any concerns or complaints to the attention of management. If you believe that you have been subject to treatment in possible violation of the Company's Equal Employment Opportunity Policy, or if you have information indicating a fellow employee has been subject to treatment in possible violation of this policy, you should immediately report it to your supervisor or to the Human Relations Manager, Kelly Monaghan.

Rand also encourages employees to bring any other concerns and complaints they have regarding the workplace to the attention of management. If an employee has a concern or complaint, the employee should discuss the concern or complaint with his/her immediate supervisor. If the nature of the matter is such that the employee would prefer not to discuss it with a particular person, they should discuss it with the next level of management or with the Human Relations Manager, Kelly Monaghan. The objective of the Company is to maintain open communications and resolve any problems that arise. We believe most problems can be resolved through open and honest discussions.

In the event a work related problem couldn't be resolved through informal discussion, the Company encourages employees to take the following steps:

**STEP ONE:**

Reduce the concern or complaint to writing and promptly submit it (within five working days) to the Human Relations Department. Describe the complaint/concern in detail and describe your proposed resolution of the complaint/concern. The Human Relations Department will provide a written response.

**STEP TWO:**

If the employee is not satisfied with the response received in Step One, the employee should promptly (within five working days) request consideration of the complaint/concern by the Management Team consisting of the craft Superintendent, the President, Project Manager and Human Relations Manager. The employee should describe the complaint/concern in detail, describe the proposed resolution and deliver the written request to the Human Relations Manager. The Management Team will review the complaint/concern and may, at its discretion, request discussion with the employee or other persons to obtain information regarding the complaint/concern. The Management Team, at its discretion, may issue a written response regarding the complaint/concern. Any oral or written decision of the Management Team regarding a complaint/concern is regarded as final and binding.

**HOURS OF WORK**

Rand Construction Company follows a work schedule of 40 hours per week. The normal workweek is Monday through Friday from 7:30 a.m. to 4:00 p.m. with one half hour off for lunch. Individual job schedules may require different start and end times.

**LUNCH PERIODS**

Lunch periods will consist of a 30-minute break.

## **ATTENDANCE/PUNCTUALITY**

### ATTENDANCE

Regular attendance during all scheduled hours of work and reporting to work on time is expected of every employee. Attendance records are kept on each employee. Abuse of regular attendance policy, including late reporting or quitting early, may be cause for disciplinary action up to and including discharge.

If you are unable to report for work, or if you know you will be late, notify your supervisor as far in advance as possible. If you are unable to reach your immediate supervisor you will need to report to an upline manager or other supervisor. Any employee not calling in will be deemed to have an unexcused absence, which may be cause for disciplinary action up to and including discharge. If you are absent at least two consecutive days without notifying your supervisor, it will be assumed that you have resigned your position, and all employee benefits will be considered forfeited.

Any absences consisting of three or more consecutive working days related to a personal illness or a family illness are to be reported to the Human Relations Manager, Kelly Monaghan, on the morning of the fourth day.

Employees are responsible for not abusing time. This excessive time away from assigned duties adversely affects the performance and morale of other employees and results in work not getting done. Any time off from your regularly scheduled work shift in which there is no approval given may result in disciplinary action.

An incident of abuse of time off would not include an approved leave of absence (including FMLA). The Human Relations Manager, Kelly Monaghan, will handle all approved leave of absences.

### PUNCTUALITY

Punctuality is a job requirement. An employee who is not present for work at the expected or prior time is considered tardy. This includes being present at the requested start time of each day and at the expected return time from lunch breaks. If at all possible, the employee must notify the supervisor that he/she will be late. If an employee has excessive tardiness, disciplinary action will be taken, up to and including termination.

**OVERTIME**

Because of the nature of work for Rand Construction Company, employees may find it necessary to work overtime on weekends or holidays, or additional hours during the regular workday with supervisor approval.

**SEVERE WEATHER CONDITIONS**

Occasionally, severe weather or emergency situations (such as fire, power failure, flooding or other) can disrupt company operations and circumstances may necessitate early closing, late opening or cancellation of work. A determination on opening or closing will be made at the discretion of senior management. In the event an emergency occurs during non-working hours, all employees affected by closure or delay in start of working day will be notified to the best of the management staffs ability prior to your arrival at the work location.

Unless otherwise notified, employees are expected to be at work on time. If an employee arrives late, leaves early or otherwise alters his/her normal work schedule without prior approval from management, he/she will be expected to make up this time or take time off without pay.

**FAMILY AND MEDICAL LEAVE ACT POLICY**

Employees of Rand Construction Company who have worked for the Company for at least 12 months and worked at least 1250 hours during the 12 month period preceding the leave are eligible for family and medical leave in compliance with the federal Family and Medical Leave Act ("FMLA"). Eligible employees are entitled to take up to 12 workweeks of unpaid family/medical leave within a rolling backward 12-month period for any of the following reasons:

- The birth of a child in order to care for such child;
- The placement of a child with an employee for adoption or foster care;
- To care for a spouse, child or parent ("family member") of the employee with a serious health condition;
- An employee's own serious health condition that renders the employee unable to perform the functions of his or her position.

**In addition, under the Uniformed Services Employment and Reemployment Rights Act (USERRA) veterans and members of the National Guard and Reserve following qualifying military service that are reemployed by Rand are eligible for FMLA under the same terms of other eligible employees with months of service counting towards the 12 months period.**

Any absences consisting of three or more consecutive working days related to a personal illness or a family illness are to be reported to the Human Resource Manager, Kelly Monaghan, on the morning of the fourth day. All FMLA request will be handled and monitored by Kelly Monaghan.

The 12-week period is measured forward from the date an employee first begins FMLA. This requested and approved leave will be unpaid. When medically necessary for a serious health condition, medical leave also is available on an intermittent or reduced schedule basis. A serious health condition includes incapacity requiring in-patient care, an incapacity requiring more than three days absence and involving continuing treatment, or continuing treatment for a chronic or long-term condition. Leave exceeding twelve weeks or for circumstances that do not qualify for Family and Medical Leave may qualify for personal leave of absence (see Leave of Absence policy).

When the leave is for a serious health condition, the company may request medical certification of the condition and the need for the leave. Failure to provide medical certification may delay commencement of leave until certification is submitted.

If leave is requested and granted, the employee will be responsible for personally reporting to Kelly Monaghan, Human Resource Manager, at 816-421-4143, the

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need to be absence and the details of each such absence. In the event you are unable to personally speak with Kelly Monaghan, the employee is responsible for contacting their Superintendent in person. **NO MESSAGES ON VOICE MAIL OR RECORDERS WILL BE ALLOWED.**

Employees must provide 30 days advance notice for all foreseeable leaves. If the employee is unable to give thirty days notice, they must give notice as soon as practical. This would generally mean at least verbal notification within one or two business days of when the need for leave becomes known to the employee. With respect to foreseeable family or employee treatment, subject to the approval of a health care provider so as not to disrupt company operations.

The taking of family/medical leave shall not result in the loss of any employment benefits accrued prior to the first day of leave and the leave period will be treated as continued service. All benefits will be handled in the same manner as prior to family/medical leave.

If the leave is taken due to the employee's own medical condition, the employee is required to provide medical certification that he/she is able to resume work, before returning. The employee and the health care provider must complete a Return to Work Medical Certification. Employees failing to provide medical certification will not be permitted to resume work until such notice is provided. At the conclusion of a family or medical leave, the employee will be restored to his/her former position or to an equivalent position with the same employment benefits and pay, to the extent required by applicable law. If an employee fails to return to work at the end of the leave and to notify the Company of his or her status, the employee may be terminated.

An employee, who intentionally misrepresents the reasons he/she is requesting leave, shall be subject to discharge.

**JURY/COURT DUTY**

Union employees who are summoned to report for jury duty to any federal, state or municipal court will be granted court leave. This will not be paid leave.

Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee's absence.

Once an employee has been excused from court service, the employee is required to return to work.

**MILITARY LEAVE**

Rand Construction Company agrees to follow all federal and state requirements in granting leave to employees for United States Military service or National Guard members. Employees will need to submit a copy of service/tour orders that will fall during regular work hours to their supervisor as soon as possible.

**RESIGNATION/TERMINATION/DISCHARGE**

Employees with Rand Construction Company are on an “at-will” basis and may be terminated with or without cause or notice.

Similarly, employees are free to resign their employment at any time. When possible, employees are expected to give a minimum of two weeks notice of their intention to resign. Notice must be in writing and include the date of notice, the date of employees last day of work and the employee’s signature.

Any employee who is absent from work without notifying his/her immediate supervisor for at least two days will be considered as resigned.

All corporate property, including pagers, cellular phones, keys, security cards, company credit cards, etc. must be returned by the last day of employment. Any items not returned may be deducted from the last paycheck. In addition, any unapproved charges or expenses applied to corporate credit cards will be deducted as well.

Any employee who is discharged by the Company shall be paid only wages accrued to the effective date of the separation. Any employee who resigns from the Company shall expect final pay to be distributed at the next normal payday.

**REDUCTION OF WORKFORCE**

In the event that a reduction in the company's workforce becomes necessary, employees over and above the number determined by the company as needed to perform the available work would be terminated. In determining those employees to be retained, consideration will be given to the quality of each employee's past performance, the need for the position held by the employee and, with all other factors being equal, the length of the service of each employee.

If feasible, but not as a vested right, employees subject to termination will be given a notice prior to the anticipated termination. Upon such termination, any benefits required to be offered will be brought to the employee's attention.

**PAY SCHEDULE**

Employees will normally be paid no later than the Wednesday of each week. If the regular payday falls on a holiday, employees will normally be paid on the last regular workday before the holiday. The pay week starts at the beginning of the employee's shift on Monday and includes all work performed up to the close of business on Sunday.

The company takes precautions to ensure that employees are paid correctly; however, if an error does occur, the employee should notify their supervisor or the Payroll Department. The company will make every attempt to adjust the error no later than the employee's next regular pay period.

If an employee is laid off they will receive pay up to the last day of work at the time of release.

**AUTHORIZED CHECK PICKUP**

If an employee is absent on payday and desires to have someone else pick up his/her paycheck, a call to the supervisor by the employee is required prior to the release of the paycheck. The person picking up the paycheck must sign for the check and picture identification will be requested in order to verify the party picking up the paycheck. This policy protects both the employee and the company.

**GARNISHMENT OF EMPLOYEE WAGES**

Garnishments are court orders requiring an employer to withhold specified amounts from an employee's wages for payment of a debt owned by the employee to a third party. State law requires the company to honor garnishments of employee wages (including child support) as a court or other legal judgement may instruct.

There may be a charge to the affected employee for the processing of paperwork on garnishments to an employees wages. Should there be a charge to the employee it will be deducted from the employees payroll check for the applicable period.

**HOLIDAYS**

Rand Construction Company observes the following holidays:

New Year's Day	January 1
Memorial Day	the last Monday in the month of May
Independence Day	July 4
Labor Day	the first Monday in the month of September
Thanksgiving Day	the fourth Thursday in the month of November
Christmas Day	December 25

Additional holidays may be observed by union contracts.

**WORKER'S COMPENSATION**

The Company provides insurance for compensation for any disabling injury an employee might suffer in the course of his or her work. This insurance is provided under various laws. If an employee is injured on company premises, while traveling on official company business or attending an activity officially sponsored by the Company, he or she is required to report the details to his or her supervisor immediately. A written report, Report of Injury or Illness, must be completed for every injury no matter how small in order for an employee's insurance benefits not to be jeopardized. Additionally, this report is required by law to establish entitlement to compensation. Required medical attention will be promptly requested and provided.

Any employee's failure to notify the Company promptly and fully of all details concerning a work related injury might be cause for his/her worker's compensation benefits to be denied or affected.