



# Employee Handbook for California Employees

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# EMPLOYEE HANDBOOK

*June 2008*



# Employee Handbook for California Employees

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## MISSION STATEMENT

We are a result-oriented company. We provide visual and measurable results for our employees and customers. Our motto is "Providing Results You Can See".

The 3 Rs – Respect, Respond, Retain

We strive to achieve three goals when working with our team and our customers:

*Respect...*

**INTEGRITY AND DIGNITY IN ALL DEALINGS.** This is an essential element of who we are at Prestige Maintenance USA, and how we want to be known in the industry.

*Respond...*

**PRO-ACTIVE ACTION.** We provide quality service in a timely and assertive manner to both our customers and co-workers.

*Retain...*

**PRESERVE EMPLOYEES AND CUSTOMERS.** We believe that building strong, loyal relationships with our co-workers and customers is a must.

## INTRODUCTION

An interesting and challenging experience awaits you as an employee of Prestige Maintenance USA, LTD, (collectively "the Company"). We have written this Employee Handbook for California Employees (referred to as "Employee Handbook") in order to answer some of the questions you may have concerning the policies of the Company. Please read it thoroughly and retain it for future reference. Should you have any questions regarding any policies, please ask your direct supervisor or a member of the Company Human Resources Department for assistance.

## DEFINITIONS

- The term "Company" as used throughout this Employee Handbook means Prestige Maintenance USA, LTD.
- The term "employee" as used throughout this Employee Handbook means employees of the Company.
- The term "employment" as used throughout this Employee Handbook means your employment with the Company.
- The term "direct supervisor" as used throughout this Employee Handbook means a designated supervisor working for the Company. The direct supervisor is the management person who performs the employee's performance review.
- The term "customer" as used throughout the Employee Handbook refers to the Company's clients who purchase services and/or products.



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The Employee Handbook is meant to provide a summary of information and guidelines about the Company policies, working philosophy, employee benefits and more. The Employee Handbook and any other information regarding the relationship between the Company and its employees are presented for information and reference only, are not intended to and do not create a term of employment or an employment contract, express or implied, between the Company and its employees and do not limit or restrict the Company in creating or terminating relationships with its employees. Because the Company is a growing and changing organization, it reserves full discretion to unilaterally add, modify, delete, or otherwise change provisions of this Employee Handbook, or the policies or procedures on which they may be based, at any time. Company shall provide reasonable notice to employees of any addition, modification, deletion or other change to this Employee Handbook. Employees continual employment shall constitute acceptance and sufficient consideration related to any change. For this reason, we urge you to contact the Director of Human Resources to obtain current information regarding the status of any policy, procedure or practice. Only the President, Executive Vice President, and Senior Vice President has the authority to modify this Employee Handbook, and may do so only in writing.

## **EMPLOYMENT AT WILL**

Our Company is an “at will” employer. This means that employment with the Company is for no definite period of time, and either the Company or its employees may terminate employment at any time with or without cause, with or without notice and for any reason or for no reason. Nothing in this Employee Handbook or any of the other companies policies, practices or procedures shall confer upon any employee a right to continued employment. Only the President, Executive Vice President, or Sr. Vice President has the authority to make agreements concerning length of employment. Such agreements must be in writing and signed by the President, Executive Vice President, or Sr. Vice President.

## **PHILOSOPHY**

We know that our Company can be only as good as the people who work with us. We strive to employ the best people for each position within our Company and take every opportunity to encourage them to reach their highest potential and goals. We believe that the prosperity and security of our Company goes hand-in-hand with employees who are skilled and knowledgeable in their work. We are “Investors in People” and believe that to maintain high levels of service and to improve upon that standard, we must involve, engage and empower all employees in issues that directly affect them.

We are driven by our core beliefs to constantly strive for quality improvement in our employment practices, our business relationships and in our leadership role; by creating and sustaining both a personal and a Company focus on the needs of our employees and customers. Through our actions, we demonstrate a clear commitment to the Company mission, values, goals and expectations that promote quality and performance excellence.

We believe that every interaction our Company has with a potential or current customer helps to define us as a Company. From our viewpoint, the only way to survive and profit in today’s hypercompetitive market is to consistently provide exceptional customer experiences, superior service and deliver value.



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## **NOTICE TO EMPLOYEES**

In drafting this Employee Handbook, we have avoided the use of specific gender pronouns wherever possible. However, where such avoidance would have led to very awkward sentences, we have used the masculine pronoun. This use should be considered to refer to both genders.

This Employee Handbook supersedes all previous Company Employee Handbooks and policies. In addition, this Employee Handbook supersedes all prior management memos to the extent that such memo contradicts a subject or policy covered therein.

## **UNILATERAL CHANGE POLICY**

Because the Company is a growing and changing organization, it reserves full discretion to unilaterally add, modify, delete, or otherwise change provisions of this Employee Handbook, or the policies or procedures on which they may be based, at any time. Company shall provide reasonable notice to employees of any addition, modification, deletion or other change to this Employee Handbook. Employees continual employment shall constitute acceptance and sufficient consideration related to any change. For this reason, we urge you to contact the Director of Human Resources to obtain current information regarding the status of any policy, procedure or practice. Only the President, Executive Vice President, and Senior Vice President has the authority to modify this Employee Handbook, and may do so only in writing.

## **EMPLOYMENT POLICIES**

### **PERSONNEL FILES**

You have a right to inspect the personnel records the Company maintains related to your performance, or any grievance concerning you. The records will be made available to you upon reasonable request and at reasonable intervals and reasonable times. Generally, you are not allowed to review your personal records during your scheduled working time. If your personnel records are not maintained at the location where you report for work, upon your request to review the records, they will be made available to you at your normal work location within a reasonable period of time. If the Company requires you to go to a different location than where you normally report for work to review your records, you are then entitled to review those records without any loss of compensation. "Personnel records" do not include records relating to the investigation of possible criminal offenses, letters of reference, or ratings, reports, or records that were obtained prior to your employment.

To ensure that your personnel file is up-to-date at all times, notify your direct supervisor or Human Resources of any changes in your name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievements, the individuals to notify in case of emergency, and so forth. An *Employee Change of Status Form* will need to be completed and turned into the Human Resource Department for data entry, documentation and retention purposes.

### **DISABILITY DISCRIMINATION POLICY**

The Company is committed to provide a workplace free from discrimination based on disability. In accordance with the Americans With Disabilities Act and the California Fair Employment and Housing Act, the Company does not discriminate against any employees or applicants on the basis of disability. It is the responsibility of the employee or applicant to request accommodation by completing a *Request For*



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*Accommodation Form* (available from the Director of Human Resources) for any physical or mental disability of the employee or applicant. In accordance with the ADA and FEHA, the Company will take all such requests seriously and will promptly determine whether the employee or applicant is disabled and whether a reasonable accommodation exists that would allow the employee or applicant to perform the essential functions of the job without imposing an undue hardship on the Company or other employees.

## **INTRODUCTORY PERIOD**

An employee's first ninety (90) days of employment are considered to be an Introductory Period. This is a time when you become acclimated to the Company culture; learn the job and expectations, and a time when the Company is closely evaluating your progress. This time will give you an opportunity to monitor your development and determine whether you like what you are doing on a day to day basis, and enables us to determine if your new job is right for you. During this time, you will receive informal reviews from your direct supervisor which will include two way communications as you receive verbal feedback.

Upon conclusion of the Introductory Period, the direct supervisor of the employee will complete a formal written evaluation. During this process, performance and future expectations will be discussed if the employee meets the standards set by the Company.

Following the Introductory Period an employee's performance will be reviewed formally on the anniversary date of hire; a merit increase may or may not be associated with the evaluation. There may also be numerous "informal" coaching sessions throughout the year with a goal of training to educate, motivate and refine the performance of the employee to the demands of their position. With the Company, the door of opportunity is always open; however, the primary responsibility of your success is yours. We will work with you to assist in developing a rewarding career with the Company.

Both during the Introductory Period, and afterward, we encourage communication between you and your supervisor. Successful completion of the Introductory Period does not guarantee employment for any term or length. You agree that you remain employed at-will. The Company reserves the right to discharge you at any time for any reason whatsoever, with or without cause, and with or without notice. Nothing in this Employee Handbook, or any of the other policies, practices or procedures of the Company, or completion of the Introductory Period confer upon any employee a right to continued employment.

## **COMPENSATION POLICIES**

### **CLASSIFICATIONS OF EMPLOYMENT**

For purposes of salary administration and eligibility for overtime payments and employment benefits, the Company classifies its employees as follows:

- **Full-Time Regular Employees** – Employees hired to work the Company's normal, full time schedule or a minimum of thirty-seven (37) hours per work week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.
- **Part-Time Regular Employees** – Employees hired to work fewer than thirty-seven (37) hours per week on a regular basis. Such employees may be "exempt" or "non-exempt" as defined below.



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- **Temporary Employees** – Employees engaged to work full time or part time on the Company’s payroll with the understanding that their employment will be terminated no later than upon completion of a specific assignment. Such employees may be “exempt” or “non-exempt” as defined below. A Temporary Status shall not exceed 90 days without the written approval of the President, Executive Vice President, or Vice President.
  - Note that a temporary employee may be offered, and may accept, a new temporary assignment with the Company and thus still retain temporary status.
  - Note that employees hired from temporary employment agencies for specific assignments are employees of the respective agency and not of the Company.
- **Non-exempt Employees** – Employees who are required to be paid minimum wage and overtime at the federal or state prescribed wage rate, whichever is higher.
- **Exempt Employees** – Employees who are not required to be paid minimum wage and overtime, in accordance with federal and/or state wage and hour laws, for work-performed in excess of 8 hours in a day or forty hours in a workweek. Executives, professional employees, outside sales representatives, certain computer programmers and employees in administrative positions are typically exempt.
- **Outside Sales Professionals**– Employees who are required to sell merchandise and/or services outside any of the Company’s places of business. Outside salespersons are exempt from overtime pay if they are 18 years of age or older, and spend more than 50% of their working time away from the company’s normal place of business. Work performed incidental to and in conjunction with an employee’s outside sales is not considered exempt work, and cannot exceed 50% of the employee’s working time.

## OVERTIME FOR NON-EXEMPT EMPLOYEES

It should be recognized that overtime and additional work other than that which is regularly scheduled may be required at the sole discretion of management.

Overtime will be paid to eligible, non-exempt employees in accordance with applicable federal and/or state law. The pay for regular overtime will be at the federal or states prescribed wage rate, whichever is higher.

In some situations, overtime will be a scheduled part of a work week. Overtime will be paid on hours exceeding 8 hours in a work day or 40 in any work week. No employee may work overtime without prior approval of his or her supervisor. Unauthorized overtime will be paid, but an employee working unauthorized overtime is subject to discipline.

## PAYROLL DEDUCTIONS

When you receive your paycheck you will find that certain deductions have been made as required by law or upon your request.

- Federal Income Taxes
- F.I.C.A. – Federal Insurance Contribution Act
- Medicare
- State Income Taxes (where applicable)
- City Tax (where applicable)





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- SDI – State Disability Insurance (where applicable)
- Employee Loans and Advances (if an authorization has been signed)
- Court ordered payments such as garnishments or child support. A garnishment is a legal claim against the wages of an employee by a creditor for nonpayment of a debt.
- Other deductions for Benefits, for example, Medical, Dental, Employee Loans, and Advances will be taken upon the receipt of your Enrollment Form.

Any questions regarding your pay check should be discussed with your direct supervisor.

## **WAGES AND SALARIES**

Wage rates and salaries vary according to the current market price for comparable services, your qualifications and previous work experiences, and a successful, stable work record. Rates for one particular job or classification cannot be compared as being relative to any other. Minimum wage rates as required by law will be paid. Refer to your offer letter for your base hourly or salaried pay.

Any wage increase or adjustment in pay will be awarded on individual basis dependent upon your performance and your overall contribution to the Company's profitability.

## **COMMISSIONS**

If eligible, commissions will be paid based upon the agreed criteria in your offer letter or revised agreement.

## **LEAVE OF ABSENCE POLICY**

### **FMLA LEAVE REPLACEMENT**

State and federal family and medical leave laws provide up to 12 workweeks of unpaid family/medical leave within a 12-month period, under the following conditions:

- The employee has more than 12 months of service;
- The employee has worked at least 1,250 hours during the previous 12-month period before the need for leave; and
- The employee is employed at a work site where there are 50 or more employees within a 75 mile radius.

Leave may be taken for one or more of the following reasons:

- The birth of the employee's child, or placement of a child with the employee for adoption or foster care;
  - To care for the employee's spouse, registered domestic partner, child, or parent who has a serious health condition;
  - For a serious health condition that makes the employee unable to perform his or her job;
  - For any "qualifying exigency" (to be defined by federal regulation) because the employee is the spouse, son, daughter, or parent of an individual on active military duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation;
- or



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- An employee who is the spouse, son, daughter, parent, or next of kin of a covered service-member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service-member.

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### *Calculating the 12-month Period*

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, the Company uses a rolling 12-month period.

Under most circumstances, leave under federal and state law will run at the same time and the eligible employee will be entitled to a total of 12 weeks of family and medical leave in the designated 12-month period.

### *Pregnancy, Childbirth or Related Conditions*

However, leave because of the employee's disability for pregnancy, childbirth or related medical condition is not counted as time used under California law (the California Family Rights Act). Time off because of pregnancy disability, childbirth or related medical condition does count as family and medical leave under federal law (the Family and Medical Leave Act). Employees who take time off for pregnancy disability and who are eligible for family and medical leave will also be placed on family and medical leave that runs at the same time as their pregnancy disability leave. Once the pregnant employee is no longer disabled, she may apply for leave under the California Family Rights Act, for purposes of baby bonding.

Any leave taken for the birth, adoption, or foster care placement of a child does not have to be taken in one continuous period of time. California Family Rights Act leave taken for the birth or placement of a child will be granted in minimum amounts of two weeks. However, the Company will grant a request for a California Family Rights Act leave (for birth/placement of a child) of less than two weeks' duration on any two occasions. Any leave taken must be concluded within one year of the birth or placement of the child with the employee.

### *Leave for Employee's Own Health Condition*

The following procedures shall apply when an employee requests family leave:

Contact the Director of Human Resources as soon as you realize the need for family/medical leave.

If the leave is based on the expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee must notify the Company at least 30 days before leave is to begin. The employee must consult with his or her supervisor regarding scheduling of any planned medical treatment or supervision in order to minimize disruption to the operations of the Company. Any such scheduling is subject to the approval of the health care provider of the employee or the health care provider of the employee's child, parent, or spouse.

If the employee cannot provide 30 days' notice, the Company must be informed as soon as is practical.

If the Family and Medical Leave Act/California Family Rights Act request is made because of the employee's own serious health condition, the Company may require, at its expense, a second opinion from a health care provider that the Company chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the Company.

If the second opinion differs from the first opinion, the Company may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider shall be considered final and binding on the Company and the employee.



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The Company requires the employee to provide certification within 15 days of any request for family and medical leave under state and federal law, unless it is not practicable to do so. The Company may require recertification from the health care provider if additional leave is required.

## *Leave to Care for a Family Member*

If the leave is needed to care for a sick child, spouse, or parent, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition;
- Estimated amount of time for care by the health care provider; and
- Confirmation that the serious health condition warrants the participation of the employee.

When both parents are employed by the Company, and request simultaneous leave for the birth or placement for adoption or foster care of a child, the Company will not grant more than a total of 12 workweeks family/medical leave for this reason.

If an employee cites his/her own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- Inability of the employee to work at all or perform any one or more of the essential functions of his/her position because of the serious health condition.

The Company will require certification by the employee's health care provider that the employee is fit to return to his or her job.

Failure to provide certification by the health care provider of the employee's fitness to return to work will result in denial of reinstatement for the employee until the certificate is obtained.

## *Leave Related to Military Service*

A leave taken due to a "qualifying exigency" related to military service must be supported by a certification of its necessity. A leave taken due to the need to care for a service-member shall be supported by a certification by the service-member's health care provider.

## *Health and Benefit Plans*

An employee taking family medical leave will be allowed to continue participating in any health and welfare benefit plans in which he/she was enrolled before the first day of the leave (for a maximum of 12 workweeks) at the level and under the conditions of coverage as if the employee had continued in employment for the duration of such leave. The Company will continue to make the same premium contribution as if the employee had continued working. The continued participation in health benefits begins on the date leave first begins under Family and Medical Leave Act (e.g., for pregnancy disability leaves) or under the Family and Medical Leave Act/California Family Rights Act (e.g., for all other family care and medical leaves). In some instances, the Company may recover from an employee premiums paid to maintain health coverage if the employee fails to return to work following family/medical leave.

Employees on family/medical leave who are not eligible for continued paid coverage may continue their group health insurance coverage through the Company in conjunction with the federal COBRA guidelines by making monthly payments to the Company for the amount of the applicable premium. Employees should contact their supervisor for further information.



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## *Substitution of Paid Leave*

Paid leave *may be* substituted for unpaid leave in the following circumstances:

- Vacation and other accrued time (other than sick leave) may be used for any family/medical leave qualifying event.
- Accrued sick leave may be used by the employee for the employee's own serious health condition.
- Accrued sick leave may be used for the care of a family member if mutually agreed upon by the Company and the employee.
- Accrued sick leave may be used for the birth or placement for adoption or foster care of a child if mutually agreed upon by the Company and the employee.

## **Reinstatement**

Under most circumstances, upon return from family/medical leave, an employee will be reinstated to his or her original job or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee has no greater right to reinstatement than if he or she had been continuously employed rather than on leave. For example, if an employee on family/medical leave would have been laid off had he or she not gone on leave, or if the employee's job is eliminated during the leave and no equivalent or comparable job is available, then the employee would not be entitled to reinstatement. In addition, an employee's use of family/medical leave will not result in the loss of any employment benefit that the employee earned before using family/medical leave.

Reinstatement after family/medical leave may be denied to certain salaried "key" employees under the following conditions:

- An employee requesting reinstatement was among the highest-paid 10 percent of salaried employees employed within 75 miles of the work site at which the employee worked at the time of the leave request;
- The refusal to reinstate is necessary because reinstatement would cause substantial and grievous economic injury to the Company's operations;
- The employee is notified of the Company's intent to refuse reinstatement at the time the Company determines the refusal is necessary; and
- If leave has already begun, the Company gives the employee a reasonable opportunity to return to work following the notice described previously.

For additional information about eligibility for family/medical leave, contact the Director of Human Resources.

## **Military Family Leave**

On January 28, 2008, President Bush signed into law the National Defense Authorization Act. Section 585(a) of the Act amended the FMLA to provide eligible employees working for covered employers to import a new leave rights related to military service:

***New qualifying reason for leave:*** eligible employees are entitled to up to 12 weeks of leave because of any "qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, the provision requires the Secretary of labor to issue regulations to finding "any qualifying exigency." In the interim, employers are encouraged to provide this type of leave to qualifying employees.



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***New leave entitlement:*** an eligible employee who is the spouse, son, daughter, parent, or next-of-kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12 month period to care for the service member. This provision became effective immediately upon an enactment. The military caregiver leave is available during “a single 12 month.” During which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

## **FMLA/CFRA Notice**

Each employee must notify the Company of his or her request for family care or medical leave as soon as the employee becomes aware of a desire for such leave. Please complete a FMLA leave request form, available from your supervisor. For foreseeable future events, the employee must provide at least 30 calendar days advance notice to the Company of the need for family care or medical leave. For events unforeseen 30 days in advance, but which are not emergencies, the employee must notify the Company as soon as the employee learns of the need for the leave, ordinarily no later than one or two working days after the employee learns of the need for the leave. If the requested leave is in connection with a plan, non-emergency medical treatment, the employee must make a reasonable effort to schedule the treatments so as not to disrupt Company operations, Subject to the approval of the healthcare provider involved, the Company may request the employee to reschedule treatment so as to minimize disruption of the Company’s business.

If an employee fails to provide the requisite 30 day advance notice for foreseeable events without any reasonable excuse for the delay, the Company reserves the right to deny the taking of the leave until at least 30 days after the date the employee provides notice of the need for family care or medical leave.

All requests for family care or medical leave must include anticipated dates of absence. Any requests for extensions of a family care or medical leave must be received at least five working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated dates and duration of the family care or medical leave.

## **Medical Certification**

Any requests for medical leave for an employee’s own serious health condition or for family care leave to care for a child, spouse, or parent with a serious health condition must be supported by a written medical certification from a healthcare provider. For foreseeable leaves, employees must provide the required medical certification before the leave begins. When this is not possible, employees must provide the required certification within 15 calendar days after the request for certification, unless it is not practicable under the circumstances to do so. Failure to provide the required medical certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required medical certification within 15 days of being requested to do so may result in a denial of the employees continued leave.

The medical certification shall include the date on which the serious health condition commenced and the probable duration of the condition. In the event of family care leave, medical certification will also include the health-care provider’s estimate of the amount of time needed for family care and assurance that the healthcare condition requires family care leave. In the event of medical leave, the Company will also



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require a written statement from the employee's physician that due to the serious health condition, the employee is unable to perform the functions of his or her position.

## **CONTINUATION OF BENEFITS**

It is the policy of the Company to provide the following health care benefits to employees under certain circumstances.

If applicable, all active full-time employees covered by the Company Benefit Plan will be eligible to continue medical coverage for 12 weeks following the beginning of a leave for:

- An authorized, paid or unpaid leave of absence; or
- A temporary lay-off due to lack of work.

An employee away from work for one of the above stated reasons must pay his share of employee coverage, including dependent coverage, if any, to maintain health care coverage during this period. Upon the expiration of 12 weeks, or if an employee fails to pay his employee contribution for benefits within 30 days from the established due date communicated to the employee and no applicable state or federal law provides otherwise, the employee's health care coverage, including dependent coverage, will be terminated. Continuation of health care coverage will be offered through COBRA.

## **RETURN FROM LEAVE**

If an employee does not return within three days from the conclusion of any approved leave of absence, where he is absent from their job without approval for three days, then it will be conclusively deemed that the employee has voluntarily terminated.

## **EXTENDED LEAVE POLICY**

If an employee becomes disabled and requires a leave of absence for a specific period of time in addition to the 12 weeks covered by FMLA\*, or if the employee is not eligible for FMLA because he/she has not met the length of service or hours of service requirements, the Company will in certain circumstances and with satisfactory medical evidence, grant an extended leave of absence.

The employee will be responsible for the total cost of the health insurance premiums on any health insurance coverage the employee or the employee's family is receiving through the Company during this extended leave period, unless otherwise provided by law. Employees will not accrue vacation or sick time while on Extended Leave.

At the beginning of and while on Extended Leave, employees are required to complete the Application for Extended Leave every 45 days to update the Company regarding the status of their medical condition and their intent to return to work. Employees may be required to provide satisfactory medical evidence substantiating their need for continued leave and the likelihood that they will be able to return to work within a reasonable period of time.

Employment will not be terminated while an employee is on Extended Leave. However, an Employee will be considered to have voluntarily terminated employment if he/she fails to return the required medical certification timely, fails to return to work when released by a medical care provider, fails to return to work



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upon the expiration of the Extended Leave or the date agreed upon, advises the Company of his/her intention not to return to work or refuses comparable reemployment.

When medical documentation indicates Employee is able to return to work either with or without a reasonable on-the-job accommodation, the Company will, depending on business need, place the employee in his/her former position, a vacant equivalent position or a vacant non-equivalent position. The Employee may also apply for any unfilled position that the employee is qualified for and capable of performing with or without an on-the-job accommodation. If there are no open positions, Employees may be subject to layoff.

\*may be longer under other guaranteed leave laws.

## GROUP AND HEALTH RELATED BENEFITS

### WORKERS' COMPENSATION INSURANCE

To provide for payment of your medical expenses and for partial salary continuation in the event of work-related accident or illness, you are covered by workers' compensation insurance provided by the Company.

The amount of benefits payable and the duration of payment depend upon the nature of your injury or illness. However, all medical expenses incurred in connection with an on-the job injury or illness and partial salary payments are paid in accordance with applicable state law.

If you are injured or become ill on the job, you must immediately report such a work related injury or illness to your direct supervisor. This ensures the Company can help you obtain appropriate medical treatment. Your failure to follow this procedure may result in the appropriate workers' compensation report not being filed in accordance with the law, which may delay your benefits in connection with the injury or illness. Questions regarding workers' compensation insurance should be directed to your direct supervisor or the Human Resource Department.

## EMPLOYEE CONDUCT

### POLICY AGAINST HARASSMENT

The Company is committed to providing a workplace free of sexual harassment, as well as harassment based on such factors as race, color, religion, national origin, age, disability, sexual orientation, gender identity, marital, or Vietnam veteran status. The company strongly disapproves of, and will not tolerate, harassment of employees by managers, supervisors, coworkers, customers, suppliers, vendors, or business invitees.

Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment, or that interferes with the work performance. Some examples include racial slurs, ethnic jokes, posting of all offensive statements, posters, cartoons, or other similar conduct.





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You have been provided with information discussing sexual harassment published by the California Department of Fair Employment and Housing. You are expected to read, review, and understand that pamphlet. During your employment, you will also be required to attend mandatory training on the issue of impermissible harassment.

Sexual harassment refers to behavior of a sexual nature that is unwelcome and personally offensive to its recipient. Sexual harassment is a demeaning form of employee misconduct that undermines the integrity of the employment relationship.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes "sexual harassment" when:

1. submission to such conduct is made explicitly or implicitly a condition of the individuals in employment;
2. submission to or rejection of such conduct is used as a basis for an employment decision affecting the employees; or
3. the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, offensive, or hostile to the employee.

For example, unwanted physical contact, foul language, sexually oriented propositions, jokes, or remarks, obscene gestures or the display of sexually explicit pictures, cartoons, or other materials may be considered offensive to another employee and should not occur.

You are strongly requested to immediately report any incidents of harassment, including work related harassment by any company personnel or any other person (including any customer, vendor or supplier) promptly to your supervisor or to the Director of Human Resources. The telephone number, e-mail address and contact information for the Director of Human Resources are listed below. Responsible individuals will be assigned to investigate the matter. Supervisors who receive complaints or who observe harassing conduct will inform the Director of Human Resources immediately. *The company emphasizes that you are not required to complain first to your supervisor if your supervisor is the individual who you believe is harassing you.*

In order for the Company to respond promptly to any complaint, it is requested that you report any complaint in writing. The Company will accept a complaint orally to the Director of Human Resources or via the Integrity Hotline discussed below. *However, any oral complaint must also be reported in writing to the Director of Human Resources within 48 hours.* A form for the reporting any complaint may be obtained from the Director of Human Resources, or may be downloaded from the Company's website at [www.prestigeusa.net](http://www.prestigeusa.net).

Every complaint of harassment reported will be investigated thoroughly, promptly, and in a manner as confidential as the circumstances permit. In addition, the company will not tolerate retaliation against any employee for cooperating in an investigation or for making a complaint to such person's supervisor, the Integrity Hotline, or the Director of Human Resources.

If harassment in violation of this policy is established, the company will take action reasonably necessary to stop the harassment, including potential discipline of the offender. Disciplinary action for a violation of this policy can range from oral or written warnings, up to and including immediate termination. Individuals who engage in harassment may also be individually liable for money damages under California law.





# Employee Handbook for California Employees

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## Duties of Employees and Supervisors

All employees of the Company, both management and non-management, are responsible for assuring that a workplace free of harassment is maintained. Any employee may file a harassment complaint regarding incidents experienced personally or incidents observed in the workplace. The Company strives to maintain a lawful, pleasant work environment where all employees are able to effectively perform their work without interference of any type and requests the assistance of all employees in this effort.

All Company supervisors and managers are expected to adhere to the Company's anti-harassment policy. Supervisors' evaluations will include an assessment of the supervisor's efforts in following and enforcing this policy. If a complaint is raised, supervisors and managers are to act promptly to notify Human Resources of the complaint so that Human Resources may proceed with an investigation. If a supervisor or manager fails to follow this policy they will be disciplined. Such discipline may include termination.

## **COMPLAINT PROCEDURE / INTEGRITY HOTLINE**

The Company views any type of discrimination or harassment as a serious violation of both a person's dignity and our Company policy. It will not be tolerated in any form. If you ever experience or observe a problem, you are urged to immediately contact your direct supervisor. If you are uncomfortable talking about the problem with your direct supervisor, or if you prefer using an alternative method, the Company provides a toll free Integrity Hotline. Feel free to report incidents such as:

- Theft of cash or merchandise
- Improper use of Company property or inventory, or assets
- Any other acts of dishonesty
- Acts of harassment or discrimination
- Acts of violence, threats or possession of dangerous weapons
- Unsafe work practices or acts of an employee or Supervisor

*The Company's Integrity Hotline toll free phone number is 1-800-321-4773. As a representative of the company you may choose to remain anonymous or supply the information listed below. This toll free number is available 24 hours a day with a bilingual (English/Spanish) individual to gather details (not respond) to your concern. A Human Resource representative will respond accordingly.*

1. Name and Job title (optional)
2. Work Place
3. Ask your specific question or state the problem
4. Tell us if and how you would like the Company to respond to your concern - by phone or by letter to you at home. If your choice is by phone, leave a number and the best time to call. If your choice is by letter, leave your current mailing address. All information will be handled confidentially to the extent possible, and there will be no retaliation.

After a thorough investigation, the appropriate corrective and/or disciplinary actions will be taken.

*If you prefer, you may also report your concerns in writing and forward to the Human Resources Director.*



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*Prestige Maintenance USA, LTD  
C/O Human Resources – Integrity Hotline  
PO Box 941249  
Plano, Texas 75094*

Confidential Email: [hotline@prestigeusa.net](mailto:hotline@prestigeusa.net)

## **OPEN DOOR POLICY**

A major factor for the success of the Company is good communication among all employees, including supervisors. In any Company, it is natural for occasional problems to arise. If a problem of any kind develops, we want to be aware of it as soon as possible. Most problems can be solved rather quickly if we are made aware of them. It is for this reason that all employees are encouraged to seek answers to questions, to communicate ideas fully and frankly, and to resolve problems. We will review any problem or situation that is brought to our attention.

You are encouraged to see your direct supervisor should any questions or difficulties arise in connection with your job. Normally, you should talk to your direct supervisor first. He or she should be able to help you with your concern or see to it that a solution is found. If you feel such matters are not appropriately addressed at this level, or if you feel uncomfortable talking with your direct supervisor, you are encouraged to talk to the Director of Human Resources, or please feel free to use the Integrity Hotline.

We strongly believe in open and honest two way communications. We are a listening organization. We believe it is important for you to communicate with us about how you feel. We are also an action organization. We take your comments seriously and will work to find ways to solve problems as quickly as possible.

## **ABSENTEEISM AND TARDINESS**

The Company is able to secure work based upon our estimates of performance and our history of reliability. Therefore, the Company expects all employees to assume diligent responsibility for their attendance and promptness. Continued dependability, quality and pride of service are factors over which each individual employee has a great deal of influence. If you are absent and cannot perform your duties on time, or if you produce substandard work, then we all pay the price by losing the confidence of the customer.

The work schedule is constructed around the maximum working hours and capabilities of the staff. It is extremely important that you be punctual in your arrival for work at the beginning of the work day or shift to which you are assigned. If you know that you will be absent or late arriving for work, notify your direct supervisor within 2 hours of your scheduled start time. In the event you are unable to reach your direct supervisor; please call our main number at (800) 321-4773. If you are absent for more than three consecutive workdays, a statement from a physician may be required before you will be permitted to return to work. In such instances, the Company also reserves the right to require you to submit to an examination by a physician designated by the Company at its discretion.

Unexcused or excessive absenteeism or tardiness is grounds for disciplinary action, up to and including termination. Excessive absenteeism (excused or unexcused) is defined as missing three or more periods of absence within one year. Excessive tardiness (excused or unexcused) is defined as being more than fifteen (15) minutes late to your work station three or more times within a one month period. If you are absent for



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three or more days and fail to properly report your absences, this will be considered job abandonment and a resignation of your position will be completed.

## **CONFIDENTIALITY AND PROPRIETARY INFORMATION**

Items such as trade secrets, customer information, data about other employees including wage and salary information, and policies are considered confidential information. Discussion or use of such information for any reason other than Company business or without the express consent of the employee involved is prohibited.

Employee verifications are administered through Human Resources only. It is Company policy for only dates of employments to be provided for employment verification unless the employee submits a signed request in writing or the information is subpoenaed.

## **GUIDELINES FOR APPROPRIATE CONDUCT**

As a Company employee, you are expected to accept certain responsibilities, follow acceptable business principles in matters of conduct, and exhibit a high degree of integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that you refrain from any behavior that might be harmful to you, your co-workers, the Company, or that might be viewed unfavorably by current or potential customers or by the public at large. Your conduct reflects on the Company. You are, consequently, encouraged to observe the highest standards of professionalism at all times.

Types of behavior and conduct that the Company considers inappropriate include, but are not limited to, the following:

1. Falsifying timecards, employment or other Company records;
2. Violating the Company's nondiscrimination and/or sexual harassment policy;
3. Soliciting or accepting gratuities from customers or clients, or employees;
4. Excessive absenteeism or tardiness;
5. Excessive, unnecessary, or unauthorized use of Company property and supplies, particularly for personal purposes;
6. Reporting to work with any detectable amount of drugs or alcohol, and the illegal manufacture, possession, use, sale, distribution or transportation of drugs;
7. Bringing or using alcoholic beverages on the Company property or using alcoholic beverages while engaged in Company business off the Company's premises;
8. Fighting or using obscene, abusive, or threatening language or gestures;
9. Theft of property from co-workers, customers, or the Company;
10. Unauthorized possession of firearms on the Company premises or while on Company business;



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11. Disregarding safety or security regulations;
12. Participating in gossip or slander of Company or of its employees;
13. Insubordination;
14. Failing to maintain the confidentiality of Company, customer, or client information; and,
15. Contacting Company customers and/or engaging in any activity, including but not limited to personal business activities, for the purposes of personal material gain. If the actual employee, employee's relatives, acquaintance, or friend initiates or participates in such activity, it is considered a violation of Company policy.

Before or during imposition of any discipline, employees may be given an opportunity to relate their version of the incident or problem at issue and provide any explanation or justification they consider relevant.

## **SAFE WORKPLACE POLICY**

It is the intent of the Company to provide a safe workplace for employees and to provide a comfortable and secure atmosphere for customers and others with whom we do business. The Company has a no tolerance guideline for violent acts or threats of violence.

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

Employees within the Company share the responsibility in identification and alleviation of threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, shall immediately report this information to Human Resources. Employees should not assume that any threat is not serious. If you as an individual feel threatened and need protection, do not hesitate to report the situation to Human Resources. Any threat reported to a supervisor, immediately should be brought to the attention of the Human Resource Department. All reports will be carefully investigated by Human Resources, and employee confidentiality will be maintained to the fullest extent possible.

## **DRUG FREE WORKPLACE POLICY**

### **THE COMPANY'S PURPOSE**

The Company is committed to (1) maintaining a workplace free from illegal drugs and alcohol, and (2) discouraging drug and alcohol abuse by its employees. The Company has a vital interest in maintaining safe and efficient working conditions for its employees. Drug and alcohol abuse is incompatible with



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health, safety, efficiency, and success at the Company. Employees who are impaired or under the influence of alcohol or drugs (as defined in this Policy), or who have any illegal drugs in their system, while conducting or performing Company business compromise the Company's interests, endanger their own health and safety and the health and safety of others, and can cause a number of other work-related problems, including absenteeism and tardiness, substandard job performance, increased workloads for coworkers, behavior that disrupts other employees, delays in the completion of work, inferior quality in service and disruption of resident relations.

It is important for employees to understand that this Policy governs not only alcohol and illegal drugs, but also the use and abuse of legal drugs in the workplace. Employees who find the need to use legal drugs, including prescription and over-the-counter drugs, must comply with this Policy.

**PLEASE NOTE: Supervisors do not have authority to waive any provision of this policy or to grant any authority reserved to the Director of Human Resources. Employees should not assume that their supervisor has the authority to allow or permit the use, possession or consumption of any drug (legal or illegal), or the use, possession or consumption of alcoholic beverages.**

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, to protect its (and the Company's customer's) business, property, equipment and operations, and to comply with all federal and state requirements, the Company has established this Policy. As a condition of continued employment with the Company, each employee must abide by this Policy.

No employee of the Company has any reasonable expectation of privacy in their use of illegal drugs and alcohol, or abuse of any legal drug. No employee of the Company has any reasonable expectation of privacy in their use of any legal drug where the use of such drug might lead to an impairment, as that term is defined in this Policy, except where such privacy is required under applicable state or federal law.

## II. DEFINITIONS

For purposes of this Policy:

**Illegal Drugs Or Other Controlled Substances:** "Illegal drugs" or other "controlled substances" mean any drug or substance that (i) is not legally obtainable; or (ii) is legally obtainable but has not been legally obtained; or (iii) has been legally obtained but is being sold or distributed unlawfully.

**Impairment or Under the Influence:** Being "impaired" or "under the influence" means that as a result of consuming or taking alcohol, illegal drugs or other controlled substances, or legal drugs (or any combination), a person, while in the course and scope of his or her employment duties, is no longer able to (1) perform their job duties or responsibilities, (2) care for their safety or the safety of co-workers or members of the public, or (3) care for and protect the property of the Company (or its customer's), with the same reasonable care, caution or attention of a sober person, using ordinary care, under similar circumstances.

**Know or Should Know:** "Know or should know" means reasonable knowledge regarding any particular substance or drug based upon an employee's past experience, common public knowledge, printed labels, pamphlets, printed materials, or advisements distributed by a manufacturer.

**Legal Drugs:** "Legal drugs" mean any drug, including prescription drugs and over-the-counter drugs, that has been legally obtained and that is not unlawfully sold or distributed.



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**Abuse Of Any Legal Drug:** “Abuse of any legal drug” means the use of any legal drug (i) for any purpose other than the purpose for which it was prescribed or manufactured; or (ii) in a quantity, frequency, or manner that is contrary to the instructions or recommendations of the prescribing physician or manufacturer.

**Reasonable Suspicion:** “Reasonable suspicion” means a suspicion that is based on (i) specific personal observations such as an employee's manner, disposition, muscular movement, appearance, behavior, speech or breath odor; or (ii) information provided to management by an employee, a member of the public or a customer having dealings with the employee, law enforcement officials, a security service, or other persons believed to be reliable; or (iii) a suspicion that is based on other surrounding circumstances.

**Possession:** “Possession” means that an employee has the substance on his or her person or otherwise under his or her control.

**Work-related Accident:** “Work-related accident” means any accident that (1) involves any Company motor vehicle or motorized equipment, (2) results in any injury to a person, (3) results in damage to any property owned by Company, its customer, or a third party, or (4) results in non-trivial damage to Company owned property.

### **III. REQUIRED CONSENT FOR USE OF LEGAL DRUGS**

**Use of Legal Drugs:** The Company recognizes that it may be necessary for employees to use legal drugs from time to time. The Company also recognizes that an employee who is using legal drugs might become impaired. In order to accommodate employees who might be required to use legal drugs, and to help assure that no serious adverse consequences in the workplace result from such drug use, *employees are required to obtain the Company's consent and comply with certain disclosure and work-restriction requirements under the following circumstances.*

**When Consent Is Required:** Employees who know or should know that their use of legal drugs might endanger their own safety or the safety of another person, or might pose a risk of significant damage to the Company's property, or might substantially interfere with their job performance or the efficient operation of the Company's business, are obligated to report such drug use to the Director of Human Resources, and to obtain the Company's consent to continue working. The Company reserves the right to have either a Company physician or the employee's own physician determine whether it is advisable for the employee to continue working while taking such drugs. It is the responsibility of the employee to (1) read all drug precautions, pamphlets, and warnings printed on, or provided with, any legal drug, and (2) evaluate past effects of using any same or similar legal drug.

**Duty to Disclose:** Employees who operate or who are responsible in any way for the operation, custody or care of the Company's (or its customer's) property, or for the safety of other employees or other persons, have a duty to disclose the nature of their job duties to any prescribing physician or pharmacist and/or to a Company physician or pharmacist and to inquire of the physician(s) or pharmacist whether their use of the drugs prescribed might result in the dangers, risks or impairment.

**Restrictions on Work:** Unless otherwise prohibited by applicable state or federal law, the Company reserves the right to restrict the work activities of any employee, or prohibit any employee from working entirely, while he or she is using legal drugs.



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**Duty to Refrain from Working:** Each employee using legal drugs has a duty to not report for work while impaired. Accordingly, even if an employee has obtained the Company's consent to continue working while taking legal drugs, the employee will not be authorized to work while impaired by the use of such drug.

## **IV. PROHIBITED CONDUCT**

- A. **Scope:** The prohibitions of this section apply whenever the interests of the Company may be adversely affected, including any time the employee is:
1. On Company or a customer's premises;
  2. Conducting or performing Company business, regardless of location;
  3. Appearing at a Company function in his or her official capacity as a Company employee;
  4. Operating or responsible for the operation, custody, or care of Company equipment or other property; or
  5. Responsible in any way for the safety of other individuals associated with Company, including, but not limited to, co-employees, management, visitors, and vendors.
- B. **Alcohol:** The following acts are prohibited and subject an employee to discharge:
1. The unauthorized use, possession, purchase, sale, manufacture, distribution, transportation or dispensation of alcohol; or
  2. Being impaired or under the influence.
- C. **Illegal Drugs:** The following acts are prohibited and subject an employee to discharge:
1. The use, possession, purchase, sale, manufacture, distribution, transportation, or dispensation of any illegal drug or other controlled substance; or
  2. Having any detectable amount of an illegal drug or other controlled substance in your system; or
  3. Being impaired or under the influence as a result of using any illegal drug or other controlled substance.
- D. **Legal Drugs:** The following acts are prohibited and subject an employee to discharge:
1. The abuse of any legal drug; or
  2. The purchase, sale, manufacture, distribution, transportation, dispensation, or possession of any legal prescription or over-the-counter drug in a manner inconsistent with law; or
  3. Being impaired or under the influence as a result of using any legal drug without obtaining the required consent in violation of Section III, above; or
  4. Working without obtaining the required consent in violation of Section III, above; or
  5. Failure to make proper disclosure in violation of Section III, above.

## **V. SUBSTANCE SCREENING**

**Job Applicants:** Job applicants may be required to undergo drug and alcohol testing as a condition of employment with the Company.

**Employees:** Current employees will be subject to testing if they:

1. Report to work or, while conducting or performing Company business regardless of location, are reasonably suspected of being impaired or under the influence, or exhibiting abnormal behavior or performance difficulties associated with substance abuse;
2. Are involved in a work-related accident;
3. Are subject to federal or state regulatory requirements for random drug or alcohol testing; or





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4. Are in safety-sensitive positions or other positions in which impaired performance could have an adverse effect on the health or safety of the employee, his or her co-employees, other individuals or the Company.

Testing: The Company may utilize each or all of the following testing methods:

1. Pre-employment testing;
2. Random testing for employees in safety-sensitive positions;
3. Reasonable suspicion testing;
4. Post-accident testing; and
5. Testing authorized or required by federal or state regulations, including Department of Transportation regulations.

## VI. DISCIPLINARY ACTION

Violation of this Policy by any employee may result in discipline, up to and including discharge, depending on the circumstances and at the discretion of the Company. At a minimum, disciplinary mandates for safety-sensitive positions, as required under Title 13 of the California Code of Regulations and Title 49 of the Code of Federal Regulations, will be followed for those individuals in safety-sensitive positions.

- A. Effect of Criminal Conviction: An employee who is convicted under a criminal drug statute for a violation occurring in the workplace, while conducting or performing Company business regardless of location, or during any Company-related activity or event will be deemed to have violated this Policy.
- B. Refusal to Test: Includes circumstances or behaviors such as:
  - Failure to appear at the collection site in the time allotted;
  - Leaving the collection site before the testing process is completed;
  - Failure to provide a urine, breath, or saliva specimen as required by CFR, Part 40;
  - Failure to permit the observation or monitoring of specimen collection when it is required;
  - Failure to provide a sufficient amount of urine or breath specimen without a valid medical explanation;
  - Failure or refusal to take a second test when required;
  - Failure to undergo a medical evaluation when required;
  - Failure to cooperate with any part of the testing process. (Example: refusal to sign the testing form when required);
  - Leaving the scene of an accident without just cause prior to submitting to a test; or,
  - If the Medical Review Officer (MRO) reports a verified adulterated or substituted test result.

**Note: A refusal to test shall be treated as a positive test result for the purposes of administration of this Policy and any resulting disciplinary action.**

## VII. CRIMINAL CONVICTIONS; LOSS OF DRIVING PRIVILEGE

Employees are required by this Policy to notify the Company of any conviction under a criminal drug statute for a violation occurring in the workplace, while conducting or performing Company business regardless of location, or during any Company-related activity or event, not later than five (5) days after any such conviction. When required by applicable law, the Company will notify agencies under contract of any employee who has been convicted under a criminal drug statute for a violation occurring while conducting or performing Company business, regardless of location. Employees are required by this Policy





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to notify the Company of any operating restriction, loss or suspension of their driving privilege or license, related to any alcohol or drug arrest or conviction.

## **VIII. UNREGULATED OR UNAUTHORIZED CONDUCT**

- A. Customary Use of Over-the-Counter Drugs: Nothing in this Policy is intended to prohibit the customary and ordinary purchase, sale, use, possession, or dispensation of over-the-counter drugs, so long as such activity does not violate any law or result in an employee being under the influence or impaired by the use of such drugs in violation of this Policy.
- B. Off-the-Job Conduct: Nothing in this Policy is intended to regulate off-the-job conduct, so long as the employee's off-the-job activity does not result in the employee being under the influence or impaired as defined in this Policy.
- C. Use of Alcohol or Legal Drugs: The Director of Human Resources will maintain a list of circumstances in which the use or possession of certain legal drugs or alcohol is authorized (such as certain medicine or drugs maintained in company first-aid cabinets or alcoholic beverages served during certain business meetings or social functions) and will communicate the authorization as appropriate. Changes to the authorization require the prior written approval of the Director of Human Resources. Except as otherwise provided in this Policy, no employee may assume that his or her possession, use, purchase, sale, manufacture, distribution, transportation, or dispensation of alcohol or drugs is authorized unless the employee has been notified in writing by the Director of Human Resources. Supervisors do not have authority to waive any provision of this policy or to grant any authority reserved to the Director of Human Resources.

## **IX. QUALIFIED DISABLED EMPLOYEES**

Commitment to Employ Disabled Individuals: Nothing in this Policy is intended to diminish the Company's commitment to employ qualified disabled individuals or to provide reasonable accommodation to such individuals consistent with all federal, state and local laws. As noted above, however, employees are required, under certain limited circumstances, to obtain the Company's consent to continue working while using legal drugs.

Reasonable Accommodation: If an employee's use of a legal drug is related to a disability and the employee voluntarily self-identifies as a disabled individual to the Company in connection with an effort to determine whether it is advisable to continue working despite the use of the drug, and if it is determined that the employee should not continue to work in his or her regular job while using the legal drug, an effort will be made to reasonably accommodate that employee.

## **X. CONFIDENTIALITY**

Disclosures made by employees to the Director of Human Resources (or any Employee Assistance Officer) concerning their use of legal drugs will be treated confidentially and will not be revealed to managers or supervisors except as permitted under applicable state or federal law. Disclosures made by employees to the Director of Human Resources concerning their participation in any drug or alcohol rehabilitation program will be treated confidentially.



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Managers and supervisors shall restrict communications concerning possible violations of this Policy to persons who have an important work-related reason to know. In addition, managers and supervisors shall not disclose the fact of an employee's participation in any drug or alcohol counseling or rehabilitation program.

## **XI. COUNSELING**

Employees who suspect they may have alcohol or drug problems, even in the early stages, are encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an approved alcohol or drug rehabilitation program are encouraged to contact the Director of Human Resources, who will determine whether the Company can accommodate the employee by providing unpaid leave for the time necessary to complete participation in the program.

## **XII. REFERENCES**

California Code Of Regulations (CCR), Title 13  
California Government Code Section 8350, "Drug-Free Workplace Act of 1988"  
Code of Federal Regulations (CFR), Title 49 Parts 40, 382, and 391

## **SAFETY POLICIES**

### **EMPLOYEE SAFETY AND HEALTH**

It is the policy of the Company to provide its employees a safe and healthy workplace and to follow procedures aimed at safeguarding all employees. Accident prevention and efficiency in production go together; neither should be given priority over the other.

Safety is everyone's responsibility. Every supervisor is expected to devote the time and effort necessary to ensure the safety of employees at all times.

#### Responsibilities of the Employee include:

- Obeying the safety rules.
- Following safe job procedures. Not taking short cuts.
- Keeping work areas clean and free from slipping or tripping hazards.
- Using prescribed personal protective equipment.
- Immediately reporting all malfunctions to a supervisor.
- Using care when lifting and carrying objects.
- Observing restricted areas and all warning signs.



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- Knowing emergency procedures.
- No Horseplay.
- Reporting unsafe conditions to supervisors.
- Promptly reporting every accident and injury to his supervisor.
- Following the care prescribed by the attending physician when treated for an injury or illness.
- Attending employee safety meetings.
- Participating in accident investigations, serving on safety committee or other loss control activities as needed.
- Notifying your supervisor if you are taking any prescribed or over-the-counter medication that can affect your judgment or ability to operate machinery and/or perform your job responsibilities.

Failure to observe these guidelines may result in disciplinary action, up to and including termination of your employment.

## **GUEST POLICY**

Due to the nature of our business and to ensure safety, guests, or non-employees, are limited on Company premises. Non-employees including friends, relatives and ex-employees shall not be permitted on Company premises unless the nature of their visit is business related. Non-employees will only be allowed to enter work areas while escorted by a Company employee. Employees are responsible for preventing and/or reporting unauthorized access to the Company facility, job site or work areas, reporting all actual incidents or suspicious acts and observing security related work rules.

It is Company policy to provide security for its property and assets. All employees acknowledge and accept the responsibility of Company assets in their possession. This includes but is not limited to all cleaning equipment and supplies, phone and radio service, test equipment, office supplies, computers, installation tools, owned, leased or rented vehicles, etc. Employees have an obligation to protect these assets and take appropriate precautions to avoid theft, damage or unusual deterioration. All employees will be held responsible for all assets under their direct control – failure to do so will result in disciplinary actions up to and including termination. Guests or non-employees are not permitted on the premises of any customer of the company without that customer's prior consent. When the customer is a retail location, guests and non-employees are never allowed on premises after or before normal retail operating hours, and again subject to the customer's prior consent.

## **ACCIDENTS**

No matter how insignificant an injury may seem at the time of occurrence, you should notify your direct supervisor immediately. The Company does perform a thorough investigation of the cause of any and all accidents.



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## AUTO POLICIES

The Company employees that are required to drive their vehicles for the company are to maintain current automobile insurance and a copy of that insurance is to be provided. It is also Company policy when utilizing your auto on Company business that you drive the legal speed limit, wear safety belts, and refrain from the use of any cell phone including text messaging. All authorized employee drivers of Company vehicles must undergo a motor vehicle investigation every 6 months. In addition, if an employee receives a moving traffic infraction of any kind including, but not limited to, speeding ticket, DWI, or collision, he must notify Human Resources within 5 business days of the incident.

## OPERATIONS POLICIES

### HOURS OF OPERATION

By being ready, willing and able to serve customers efficiently at any time and competing fairly in the marketplace and producing a quality product, we increase the opportunity for maintaining a steady flow of work. Business hours, or when the doors are unlocked, at the main office are 8:00 a.m. to 5:00 p.m., Monday through Friday Central Time. Due to the nature of our business, we provide 24 hour live support in both English and Spanish in order to provide service to our customers. Therefore, many employees whether at the job site or at the main office, may be required to work during the evening hours, on weekends, and some holidays. At the time of employment, promotion, transfer, or reinstatement, your direct supervisor will communicate your schedule. Lunch breaks for all office employees will be assigned by the direct supervisor. In order to facilitate the smooth flow of business and to adequately cover the phones, lunch breaks will usually be staggered and may change to meet the needs of the client Company.

Leaving your worksite during breaks, other than lunch, is not permitted unless you have your direct supervisor's approval.

### INCLEMENT WEATHER

Due to severe weather conditions, certain precautions may have to be taken to ensure employees safety.

**Service Workers or employees who work at customer sites.** If the customer's location is open, then you are expected to be at work. If you have questions or are not sure you should report to work, call your direct supervisor.

**Main Office.** The Company's toll free phone number is 1-800-321-4773. This toll free number is available 24 hours a day with a bilingual (English/Spanish) individual to gather details (not respond) to your concern.

### TIMEKEEPING SYSTEM

All non-exempt employees are responsible for calling the Timekeeping System when they start and stop working including starting and stopping meal breaks. Each direct supervisor is responsible for managing



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their staff's time and confirming the hours worked. Supervisors and Managers are given a daily report in order to ensure employees' time is logged in through the Team Time System.

If for any reason you can not call or forgot to call in on the Timekeeping System, you must report your time worked to your direct supervisor immediately. Any discrepancies concerning time worked should be resolved by your direct supervisor before transmittal to the Payroll Department for payment. In order for you to be paid properly, your hours of work must be communicated correctly to the Payroll Department. If your hours are not communicated and appropriate procedures are not followed, please note that you are at risk of not receiving a timely and/or correct paycheck.

If you cannot be at work due to sickness, or other excusable circumstances, or if you will be late in arriving at your appointed place, please call your direct supervisor at least two hours prior to the start of your work shift. In the event that you are unable to communicate with your direct supervisor, you must call our main number at 1-800-321-4773. In the unforeseen event of a disabling sickness or accident outside performing your duties, notify your direct supervisor at the earliest possible time. In such circumstances, you must communicate with your direct supervisor within 72 hours of the start of your shift. If communication does not occur, it will be considered job abandonment and you are at risk of disciplinary action up to and including termination.

## **PAY DAY**

You will receive a paycheck for work performed between the first and 15<sup>th</sup> days of the month no later than the 26<sup>th</sup> of each month. For work performed between the 16<sup>th</sup> and the last day of the month, you will receive your paycheck by the 10<sup>th</sup> day of the next month. Your paycheck will be delivered to you by your supervisor on the payday. If offered by the company, you may also elect to have direct deposit of your pay. If you elect direct deposit, your paycheck will be deposited in your bank account by the close of business on the payday.

If you are absent on pay day and someone else is to pick up your check, it will not be released without a signed, handwritten note from you authorizing the named person to pick it up. The person designated to pick up your check will be asked to produce identification satisfactory to management; otherwise, your check will not be released. Any deviations from this procedure must have prior approval of the President, Executive Vice President, or Sr. Vice President.

Pay checks will not be cashed by the Company or any employee of the Company. If anyone connected with the Company offers to cash your check, call the Integrity Hotline at 1-800-321-4773 immediately.

If applicable, vacation pay will be on the regular pay cycle. If you resign, final settlement of services or wages will be made in accordance with state law. Commissions will be settled when all paperwork is received and outstanding balances are collected.

## **EXPENSE REPORTS**

Expense reports are due in a timely fashion and are paid on a weekly basis. Reports must be submitted weekly to the main office for approval.

## **JOB PERFORMANCE EVALUATIONS**



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You will be evaluated with respect to the job that you are performing for the Company. As you demonstrate the ability to take on additional responsibilities, your talents will be utilized in the manner deemed most suitable to your demonstrated ability and the needs of the Company.

A written performance evaluation of each employee will be performed on an annual basis. The evaluation will be conducted by your direct supervisor and will be reviewed with you. Any areas of specific achievement or need for improvement will be noted and discussed with you thoroughly. A wage increase may or may not be associated with your annual review.

A written performance evaluation will also be performed for each employee upon the completion of the Introductory Period of ninety (90) days. Therefore, an employee will receive two formal evaluations during the first year of employment and at least one formal review annually thereafter. A wage increase may or may not be associated with the review. If you have any questions, please contact your direct supervisor or Human Resources for clarification.

## **ADVANCEMENT AND PROMOTION**

The Company's goal is to promote employees from within the current workforce whenever possible. Once a vacancy is established, you may be promoted provided you are qualified for such advancement.

In making advancement to a new position, the demonstrated ability and overall qualifications of the applicant will be considered. After an interview has been performed with the candidate, a final decision will be made concerning the applicant based upon the interview and the perceived qualifications of the applicant. In addition, input from the current supervisor will be considered as well.

In certain situations, an opening will occur that requires specialized skills and/or talents which do not currently exist within the Company. In such cases, the Company will utilize someone from outside the present work force.

## **EMPLOYMENT OF RELATIVES**

The Company permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the Company, create actual or perceived conflicts of interest. An individual may not directly supervise a relative or other person with whom they have a close personal relationship without the prior, written permission of Human Resources management, which, if granted, may be withdrawn at any time. If after supervision is assigned, an individual becomes related or forms a close personal relationship with another employee, the supervisor must immediately notify, in writing, Human Resources management. The company will then evaluate the situation, and make a decision if the supervision relationship causes an actual or perceived conflict of interest, and whether, or under what conditions, it will be permitted to continue. A supervisor shall no longer be permitted to supervise that individual without the written permission of Human Resources management, which, if granted, may be withdrawn at any time. The following are guidelines the company may use in evaluating the supervision relationship:

- Individuals who are related by blood or marriage are permitted to work in the same Company facility, provided there are no actual or perceived conflicts of interest.
- Individuals who are related or have a close personal relationship are not allowed to be involved in the decision of advancement or promotion process of their relative or individual with a close personal relationship.



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- If a conflict arises, disciplinary action may be administered to both parties if deemed appropriate by the direct supervisor of the related parties. In the case that the disciplinary action is to the related party, the supervisor of the highest level of employment will complete the disciplinary action needed.

This policy applies to all categories of employment at the Company, including regular, temporary, and part-time classifications.

## **NOTICE**

Should an employee find it necessary to leave the Company, we expect adequate notice in writing. This notice preferably should be given in person to the direct supervisor or the Human Resources Department. Normally the minimum adequate notice is at least two (2) weeks, so that the Company can make appropriate adjustments in work schedules. Your consideration will be greatly appreciated and will influence us in reviewing your qualifications should you want to work for the Company again. The Company may request an exit interview from the departing employee. The Company encourages open and honest feedback from any departing employee, so that we may make necessary improvements.

## **CHANGE IN PERSONNEL INFORMATION**

Please help us keep your personnel record up-to-date. It is your responsibility to notify your direct supervisor when any of the following occurs:

1. Change of address.
2. Change in phone numbers.
3. Change in Legal Name.
4. Change in marital status.
5. Change in dependency status.
6. Change for person to be notified in case of accident or emergency.
7. Change in military status.
8. Change in the number of dependents covered on your medical plan.
9. Any change in your immigration or citizenship status affecting the lawful requirements concerned with citizenship or immigration status.

## **COMPLAINT RESOLUTION PROCEDURE**

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that you believe is detrimental to your employment with the Company, you should follow the procedure described here for bringing your complaint to management's attention.

**Step One.** Discussion of the problem with your direct supervisor is encouraged as a first step. If, however, you do not believe a discussion with your direct supervisor is appropriate, you may proceed directly to Step Two.





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**Step Two.** If your problem is not resolved after discussion with your direct supervisor or if you feel discussion with your direct supervisor is inappropriate, you are encouraged to request a meeting with a representative of the Human Resource Department or call the Integrity Hotline.

The Company does not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting, or delaying the Company from taking disciplinary action against any individual where the Company deems disciplinary action appropriate.

## **FIREARMS AND WEAPONS**

It is the intent of the Company to provide a safe and secure workplace for employees, clients, customers, visitors, and others with whom we do business. The Company expressly forbids the possession of a legal, illegal or non-licensed firearm or weapons on Company or customer's property. The Company has a "zero tolerance" guideline for possession of any type of a legal, illegal or non-licensed weapon, firearm, explosive, or ammunition. Company property includes, but is not limited to, all Company facilities, vehicles, and equipment, whether leased or owned by the Company or its client. In addition, firearms in employee-owned vehicles parked on Company property are strictly forbidden.

The possession of legal, illegal or non-licensed firearms or weapons on Company property may be cause for discipline including immediate termination of employment. In enforcing this guideline, the Company reserves the right to request inspections of any employee and their personal effects, including personal vehicles while on Company or worksite premises. Any employee who refuses to allow inspection will be subject to the same disciplinary action as being found in possession of firearms or weapons.

Employees within the Company share the responsibility of identifying violators of this guideline. An employee who witnesses or suspects another individual of violating this guideline should immediately report this information to his direct supervisor.

## **SOLICITATIONS AND DISTRIBUTION OF LITERATURE**

It is the intent of the Company to maintain a proper business environment and prevent interference with work and inconvenience to others from solicitations and/or distribution of literature.

Group meetings for solicitation purposes, distribution literature, circulating petitions during work hours or in work areas at any time is prohibited unless it is approved by the President, Executive Vice President, or Sr. Vice President. The following guidelines will apply throughout the Company:

- Employees will not engage in any solicitation of other employees for any purpose whatsoever during working hours.
- The Company's facilities may not be used as a meeting place which involves solicitation and/or distribution of literature.
- In order to maintain good customer relations and preserve the professional work environment, employees may not wear any non-approved insignia, badge, or button nor display any insignia, badge, or button on their desk or in their work area, excluding professional designation awards.





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- Certain types of information may be posted in the Company’s designated area where legal postings are maintained. Human Resources will approve and post all information that is displayed in the designated area and/or make available for review or distribution to employees.
- Trespassing, soliciting, or distributing literature by anyone outside the Company is prohibited on Company premises.

## DRESS CODE APPEARANCE

All Company employees are expected to present an acceptable, professional, neat, clean, and well groomed appearance in compliance with the Company’s dress requirements for any particular position at all times. All employees are required to report for work in clean clothing and footwear. All personnel should maintain good grooming and personal hygiene habits. Clothing should properly fit, be unrevealing and wrinkle free. Proper foundation garments are required. In addition hair, including beards and mustaches, should always be clean, neat and controlled.

In general, several items are unacceptable. For instance:

- Ball caps or hats
- Clothing showing excessive amounts of skin, extremely short skirt lengths
- Clothing that does not cover all body art
- Clothing displaying slang words or offensive slogans
- Sweats, leotards, Speedos, halter tops, exercise clothing, t-shirts, shorts, bathing suits, or tank tops
- Sloppy, unkempt, torn or ragged clothing
- Excessive perfume or cologne
- More than 2 ear piercing per ear with jewelry in the piercing.
- Any piercing above the shoulders that are visible (excluding ears)
- Hair color other than a natural type color
- Long, unclean facial hair
- Unpleasant body or mouth odors
- Inappropriate footwear such as cleats, spikes, flip-flops, beach or pool shoes, or house slippers
- Capris that are not at least 5 inches below the knee
- Ankle Drawstrings on pants and capris

Professional appearance in the Main Office is necessary as we set an example of what the company represents to our field staff and customers. The following list contains dress code guidelines in order to maintain this professionalism:

Men	Women
Collared polo/golf shirts/oxford shirts	Dresses and skirts (no shorter than 3” above the knee)
Sweaters	Casual slacks
Casual slacks (khakis, chinos, etc.)	Shirts or blouses
Sports coats, casual ties	Sweaters
Socks	Loafers, dress boots, flats, pumps, sling backs
Loafers	No body piercing that can be seen
No earrings or body piercing that can	



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be seen |

## **Service Employees Men and Women**

- The Company required work shirt (uniform)
- Non-slip comfortable shoes
- The Company identification badge at all times

## **ELECTRONIC DEVICE POLICY**

The company prohibits the use of all electronic devices while performing service level work at customer locations. These devices include cell phones, MP3 players, and other portable audio or video devices using headphones. We request that you not bring them, or store them inside customer locations.

## **PERSONAL BUSINESS AND PERSONAL PHONE CALLS**

If eligible, Paid Time Off (PTO) will be given in half day or full day increments and scheduling requires prior approval of the direct supervisor.

During business hours, you are requested to keep personal calls to an absolute minimum. If you need to leave your work station to conduct personal business, you must first obtain permission from your direct supervisor. This will allow him to make modifications to the work schedule if necessary and will keep him aware of your activities during the day.

## **ACKNOWLEDGING HOLIDAYS AND SPECIAL OCCASSIONS**

In order to maintain professionalism and in an effort to respect different cultural beliefs, celebrations and/or decorations recognizing nationally observed holidays such as but not limited to religious celebrations, political celebrations and birthdays are not allowed during business hours or on Company property. The company understands that you may want to acknowledge and celebrate certain occasions. Therefore, the Company offers holidays, as well as other Paid Time Off, to eligible employees as outlined in the Employee Benefits and Service section of the Employee Handbook.

## **USE OF COMMUNICATION SYSTEMS**

It is the intent of the Company to provide the communication systems necessary for the conduct of its business. Employees are expected to adhere to proper use of all communication systems including but not limited to the telephone, radio, two-way radio, electronic mail (e-mail), and voice mail.

The communication systems are owned and operated by the Company and are to be used for the business of the Company. Employees should have no expectation of privacy of any correspondence, messages, or information in the systems.

All Telephone, E-Mail, and Voice Mail messages are property of the Company. The Company reserves the right to access and disclose all such messages sent for any purpose. All such messages, regardless of content or the intent of the sender, are a form of company correspondence, and are subject to the same internal and external regulation, security and scrutiny as any other company correspondence. Except as



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identified, the Company's communication systems will not be used to solicit or to address employees regarding commercial, religious, or political causes; nor will the system be used in ways that are disruptive or offensive to others. No employee has an expectation of privacy in any telephone, email, or voice mail messages.

Employees will not attempt to gain access to another employee's personal Telephone, E-Mail, or Voice Mail messages. However, the Company reserves the right to access an employee's messages at any time, without notice, to the employee. In addition, outside resources or employees should not access computer server mainframe without authorization from the President, Executive Vice President, or Sr. Vice President.

Transmission or viewing of sexually explicit images, messages, cartoons, ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs are specifically prohibited.

All software loaded on a Company computer or hardware, must be approved by the Information Systems Department. In addition, if your computer or hardware requires repair or enhancements, it must be authorized in writing by the Information Systems Department.

Any violation of these guidelines may result in disciplinary action.

## **COMPANY PROPERTY**

The Company reserves the right to conduct searches or inspections of employees and their desks, personal effects, lockers, lunch boxes, purses, baggage, and any other property located on Company premises or work sites, their private vehicles, if parked on Company premises or work sites, and their quarters, if furnished by the Company. Entry on Company premises or work sites constitutes consent to searches or inspection. No employee should expect that while on company or customer premises (including any parking areas) they have any expectation of privacy.

Company property and workspace needs to be maintained and respected. In order to present a professional image; work areas need to be neat and clean. All Company property and assets need to be maintained in good condition and reasonable care taken to prevent loss or damage.

## **SMOKING & TOBACCO**

In order to maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking (including e-cigarettes) and the use of tobacco (including smokeless tobacco) on Company property, in the customers' offices and facilities, or Company vehicles is strictly prohibited. Because the Company may be subject to criminal and civil penalties for violations of applicable smoking laws, we must insist on strict adherence to this policy. Employees smoking in any non-smoking area may be subject to disciplinary action, up to and including termination. Please contact the Human Resources Department if you have any questions regarding the smoking policy.

## **LAYOFF DUE TO LACK OF WORK**

The Company attempts to maintain a stable work force, however, business conditions sometimes change to a point that there is not enough work to keep all employees on the payroll. Should such a situation occur,



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the work force may be reduced by laying off the number of employees over and above those needed to perform the work available. Layoffs will be determined by the ability of the affected employees to adequately perform the available work with a minimum of retraining. In the event a layoff occurs, under no circumstances will severance pay be distributed to any employee.

## **TRAVEL**

All Company travel must be approved by employee's immediate Supervisor. Travel invitations by an outside source such as a vendor must not be accepted without advance approval from ownership. The Company reimburses employees for the expenses of travel, including the cost of transportation, meals, lodging, and compensation when appropriate, provided such travel is approved and performed in the course of conducting Company business.

Activities which normally justify the reimbursement of travel expenses include calling on customers, prospects, and suppliers and the attendance at business meetings, conventions, and seminars or other selected educational functions related to the employee's job. Please refer questions relating to spending limitations to your direct supervisor or Human Resources for clarification of the Company Travel Reimbursement policy.

Common carrier transportation will be utilized for trips, provided suitable scheduling is available. Employees are expected to exercise prudence in their selection of local transportation to their destination. When practical, employees are expected to use a Company car or personal car for short distance travel.

All employees normally are expected to travel coach or economy class and to stay and eat in moderately priced establishments while traveling on Company business.

Non-exempt employees will be compensated for time spent traveling if that travel is part of the employee's daily work activity, including travel from one job site to another or travel from a designated meeting place to a job site. Travel by a non-exempt employee who will be away from home overnight is work time only during those periods the employee is engaged in Company business, which typically will coincide with the employee's regular working hours. Such time counts as hours worked even if it occurs on a non-working day. If an employee uses his or her own car rather than available public transportation for travel away from home, the employee can count as hours worked either the time spent driving or the time that would have been spent on public transportation during regular working hours.

## **EMPLOYEE BENEFITS AND SERVICES**

### **PAID TIME OFF (PTO)**

The Company policy for PTO has several different characteristics depending on your classification as an employee and your status as either exempt or non-exempt. Please see your direct supervisor to see if you qualify for PTO or the Human Resource Department for your benefits.



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PTO benefits accrue according to length of service and responsibility level within the Company. PTO is defined as a paid vacation, approved holiday, and personal holidays. PTO does not accrue during periods of leave. If eligible for PTO, you may not carry over PTO time from year to year and it must be taken annually to assure that you receive the full benefit of this plan. If you leave the Company in good standing, you will be paid for unused PTO, if applicable computed at the rate of pay earned upon separation, provided you give two (2) weeks written notice and are not being terminated for misconduct. If you are terminated for any cause then all PTO is considered terminated and not payable.

So that we may schedule work and plan for business requirements, employees should give as much written notice as soon as possible in scheduling PTO time, a 30 day notice is required in writing to your direct supervisor. If there are conflicting dates, preference will be given to the employee with the most seniority. However, a more junior employee who already had an approved PTO date will not be bumped by a more senior employee if prior approval for PTO had been given.

Employees who have earned more than two weeks PTO are requested to split their time, so that no more than one week is used at any one time. Special circumstance may require that you use your PTO for more than one week at a time; approval from your direct supervisor and the Human Resource department must be obtained prior to implementation.

If employee is absent, employee is required to exhaust accrued paid time off and unused vacation before requesting unpaid leave.

If your PTO should be canceled due to the needs of the client or the Company and you are unable to reschedule the PTO within the year, the Company reserves the option to pay you in lieu of taking those PTO that are canceled or to allow rescheduling of that vacation at its option.

Your check for PTO will be paid on the regular pay cycle. PTO days are not used in calculating overtime hours.

## **Paid Sick Leave Policy California Non-Exempt Employees**

Beginning July 1, 2015, all California non-exempt employees may accrue and use paid sick leave as set forth in this policy.

### *Accrual*

Employees will accrue paid sick leave at a rate of one hour for every 30 hours worked, up to a maximum accrual cap of 48 hours or six days. For example, an eligible employee who works 40 hours in a week will accrue 1.33 hours of paid sick leave in that week.

### *Usage*

Employees who have worked for at least 30 days within a year in California and who have worked for Prestige Maintenance for at least 90 days will be eligible to take paid sick leave. Employees will not be allowed to take more than 24 hours or three days of paid sick leave in their applicable 12-month period. For employees hired on or before July 1, 2015, their applicable 12-month period is July 1 to June 30. For employees hired after July 1, 2015, their applicable 12-month period begins on their hire date and on each anniversary of their hire date.



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Employees may use paid sick leave for themselves or for a family member for preventive care or care of an existing health condition or for specified purposes if you are a victim of domestic violence, sexual assault or stalking. Family members include the employee's parent, child, spouse, registered domestic partner, grandparent, grandchild, and sibling. Preventive care includes annual physicals or flu shots. Employees may not use sick leave in less than two-hour increments.

## *Payment*

Paid sick leave will be paid at an employee's regular wage rate.

## *Anti-Retaliation and Anti-Discrimination*

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

## **Paid Time Off:** 1.54 hours / week (maximum accrual is 80 hours)

- PTO is for full time exempt employees. Employees must work a minimum average of 37 hours per week to be considered full time.
- PTO begins to accrue upon date of hire in eligible classifications.
- Once an employee has reached the maximum accrual of 80 hours, the employee will accrue no further PTO until the employee draws down sufficient PTO to be under the maximum accrual amount; provided, however that if the employee has not been given a reasonable opportunity to draw PTO, the employee will be given the opportunity to draw down on accrued PTO within the 90-day period immediately following when the maximum accrued vacation has been earned. During this 90-day period, the employee shall continue to accrue additional PTO. After the 90-day period, no further PTO shall accrue until employee draws down sufficient PTO to be under the maximum accrual amount.
- Employees may use PTO for any purpose, including for themselves or for a family member for preventive care, care of an existing health condition, or for specified purposes if they are a victim of domestic violence, sexual assault, or stalking. Preventive care includes annual physicals or flu shots.
- PTO can be taken as earned in increments of 2 hours.
- Where foreseeable, employees must submit a Time Off Request Form before taking PTO.

## **HOLIDAYS**

The main office will be closed in observance of the following holidays:

- New Years Day
- Memorial Day
- Independence Day
- Labor Day
  
- Thanksgiving Day
- Christmas Day

A holiday schedule is posted each year and is located in the designated area where legal postings are maintained. If you have any questions please feel free to discuss with your direct supervisor or contact the Human Resource department.



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## LEAVE OF ABSENCE

It is the policy of the Company to grant employees extended leaves of absence under certain circumstances. Except as stated below, employees will not receive compensation during a leave of absence.

The Company will comply with the provisions of the Family and Medical Leave Act ("FMLA"). Please refer to the Company's policy with regard to leave under the FMLA and Military Leaves of Absence section of the Employee Handbook.

Employees are generally eligible for leaves of absence if they have completed at least ninety (90) days of service, or as specified by law. The granting and duration of each leave of absence and the compensation received by the employee, if any, during the leave of absence will be determined by the Company in conjunction with applicable federal and state law. However, leaves as designated herein may not exceed ninety (90) days, during which time benefits will not accrue, and will be granted only after all earned PTO has been exhausted. The following types of leaves will be considered:

1. Personal Leave of Absence. Employees may be granted a leave of absence to attend to personal matters in cases in which the Company determines that an extended period of time away from the job will be in the best interests of the employee and the Company.
2. Educational Leave of Absence. Employees who want to continue their education in preparation for added responsibilities with the Company may be granted an educational leave of absence.
3. Public Service Leave of Absence. Employees who want to accept temporary employment in federal, state, or local government or with an organization devoted to community service may be granted a leave of absence.

Requests for leave of absence or any extension of a leave should be submitted in writing to the employee's direct supervisor thirty (30) days prior to commencement of the leave period, or as soon as is practicable. The direct supervisor will forward the request to the Human Resources for approval or denial. All employees on approved leave are expected to report any change of status in their need for leave or their intention to return to work to the Human Resources Department. Employees who are on an approved leave of absence may not perform work for any other employer during that leave, except when the leave is for military or public service.

Every employee on a sick leave or family care leave of absence will be required to use all accrued personal, vacation, and sick days while on leave. However, employees who are covered by the Company's disability or workers' compensation insurance, and are therefore already receiving compensation, may not use sick paid leave. Every employee on a parental, personal, educational, or public service leave of absence will be required to use all accrued personal and vacation days while on leave. If eligible, the Company will provide health insurance and other benefits to employees on leave as required by law. Benefits that accrue according to length of service, such as paid vacation and personal days, do not accrue during periods of leave.

Employees returning from a leave of absence will be reinstated to their same job or to an equivalent job with equivalent status and pay, as required by law. Employees returning from a sick leave must provide certification of their ability to perform the functions of their job. Employees returning from a military leave must also comply with all of the reinstatement requirements specified by federal law. If the same job





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or one of equivalent status and pay is not available as a result of a reduction in force, the employee will be treated in the same manner as though he were not on leave at the time of the reduction in force.

If an employee fails to return to work at the conclusion of an approved leave of absence, including any extension of the leave, the employee will be considered to have voluntarily terminated employment.

## **JURY DUTY AND WITNESS LEAVE**

If you are an exempt employee who is summoned to jury duty, the Company continues your salary during your active period of jury duty for up to a maximum of fifteen (15) working days per calendar year. You are also permitted to retain the allowance you receive from the court for such service.

If you are a non-exempt full-time regular, part-time or a temporary employee, you are given time off without pay while serving jury duty. All employees are allowed unpaid time off if summoned to appear in court as a witness. To qualify for jury or witness duty leave, you must submit to your direct supervisor a copy of the summons to serve as soon as it is received. In addition, proof of service must be submitted to your supervisor when your period of jury or witness duty is completed.





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## ACKNOWLEDGEMENT TO THE EMPLOYEE HANDBOOK

I acknowledge that I have received the Company's California Employee Handbook ("the Employee Handbook"), dated June, 2008, and understand that violations of the policies contained in the Employee Handbook could result in disciplinary action, up to and including termination.

I further understand that the information contained in the Employee Handbook represents guidelines for the Company and that the Company reserves the right to modify the Employee Handbook or amend or terminate any policy, procedures, or employee benefit programs at any time.

I further understand that the contents of the Employee Handbook do not form a written employment contract. Either the Company or I have the right to terminate my employment at any time.

I further understand that no manager, supervisor or representative of the Company, other than the President, Executive Vice President, or Sr. Vice-President, have any authority to enter into any agreement guaranteeing employment for any specific period of time. I also understand that any such agreement, if made, will not be enforceable unless it is in writing and signed by both parties.

I further understand that if I have any questions about the interpretation or application of any policies contained in the Employee Handbook, I should direct these questions to my direct supervisor.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

\_\_\_\_\_  
Social Security Number

\_\_\_\_\_  
Witness Signature

**Please keep a copy of this acknowledgement for your records.**