



ECM Energy Services, Inc.
Employee Handbook 2015





Welcome to ECM Energy Services, Inc.

Let me be one of the first to warmly welcome you to the ECM Energy Services Inc. team. You are joining a strong organization which values its employees, its customers and the communities in which it does business.

We are always looking for individuals who share our strong values of safety, integrity, and care for our customers and fellow team members, who seek continuous improvement and are driven to always work toward doing the right things, the right way. If you are one of these individuals, you will have a great opportunity to grow and prosper with ECM for many years to come.

Take a moment to review our Values model below and please implement it in your day-to-day work activities and interactions. Again, welcome to the ECM team, I look forward to your contribution and I hope to meet you personally in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Harry Wahl'.

Harry Wahl
Chief Executive Officer ECM
Energy Services, Inc.





Introduction

This Employee Handbook ("Handbook") is a compilation of personnel policies, practices and procedures currently in effect at ECM Energy Services, Inc. ("Company").

The Handbook is designed to introduce you to our Company, familiarize you with Company policies, provide general guidelines on work rules, benefits and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

This Employee Handbook is not a contract. ECM Energy Services, Inc. generally does not offer individual employees formal employment contracts with the Company. This Handbook does not create a contract, expressed or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. Nothing contained in this Handbook should be construed as creating a contract guaranteeing employment for any specific duration. Neither does it obligate you to continue your employment for a specific period of time. Unless you have entered into an employment agreement that supersedes this document, either you or the Company may terminate the employment relationship at any time. Employment is "at will," meaning that you or the Company may end your employment at any time for any lawful reason.

Neither does the Handbook guarantee any prescribed process for discipline and discharge. The purpose of the Handbook is simply to provide you with a convenient explanation of present policies and practices at the Company. This Handbook is an overview or a guideline. It cannot cover every matter that might arise in the workplace.

The Company reserves the right to modify any of our policies and procedures, including those covered in this Handbook, at any time. We will seek to notify you of such changes by email and other appropriate means. However, such a notice is not required for changes to be effective.

We operate in numerous states within the United States. State, local, and federal employment laws change with some frequency, either as a result of a judicial decision or new legislation or regulations. Although we seek to monitor the laws in all states where we have employees, our Handbook may not always reflect the very latest requirements. We are, of course, committed to complying with all applicable laws. If you have specific questions, please contact our Human Resources Department.

PLEASE NOTE: Your employment is at-will and you are free to terminate your employment with ECM at any time, with or without cause, and with or without notice. Likewise, ECM has the right to terminate your employment, or otherwise discipline, transfer, promote or demote you, at any time, with or without cause, and with or without notice, at the discretion of ECM. No one at ECM can enter into an employment contract with you for a specified period of time, or make any agreement contrary to this employment-at-will policy, without the prior written approval of ECM's Chief Executive Officer.



Recruitment and Hiring

The Company's primary goal when recruiting new employees is to fill vacancies with persons who have the best available skills, abilities or experience needed to perform the work. Decisions regarding the recruitment, selection and placement of employees are made on the basis of job-related criteria.

When positions become available, qualified current employees are encouraged and are welcome to apply for the position. As openings occur, notices relating general information about the position are posted. The manager of the HR department will arrange interviews with employees who apply, if qualified.

We encourage current employees to recruit new talent for our Company. Interested candidates should go to www.ecmenergyservices.com to view open positions and apply.

Equal Employment Opportunity

ECM is committed to creating and maintaining a workplace free of discrimination. The Company follows all applicable EEO laws in its employment practices and procedures, and provides equal employment opportunity to all persons without regard to race, color, ancestry, religion, national origin, sexual orientation, gender identity, marital status, familial status, veteran status, spousal affiliation, sex, age, blindness, handicap, serious medical condition, physical or mental disability (except where the disability prevents an otherwise qualified individual from being able to perform the essential functions of the job and cannot be reasonably accommodated in full compliance with the law) and any other characteristic protected by federal, state, county or local law.

This policy extends to all terms and conditions of employment including (but not limited to) recruitment, hiring, training, promotion, transfer, compensation, benefits, educational assistance, discipline, layoff and recall, termination, retirement and Company sponsored social and recreational programs.

All employees must support and follow our EEO objectives, and assure that their own conduct complies with this policy. Managers and supervisors must also cooperate fully in implementing and enforcing this policy at their location or department, and their overall performance will be evaluated accordingly.

Immigration Law Compliance

The Company complies with the Immigration Reform and Control Act of 1986 by employing only United States citizens and non-citizens who are authorized to work in the United States. Within their first three days of employment, all employees must provide original documents verifying their identity and right to work in the United States, and sign a verification form required by federal law

(USCIS Form I-9). . The Company does not discriminate against any work-authorized individual in the employment eligibility verification process (Form I-9 and E-Verify) based on the individual's citizenship status, immigration status or national origin.



Orientation and Training

To help you become familiar with the Company and our way of doing things, the Company may provide an orientation session within the first few days of your employment. Some of the content of the session will depend in large part on the nature of your responsibilities, while other parts will be applicable to all employees. In addition, the Company may periodically offer additional training or educational programs. Some programs may be voluntary, while others will be required.

DOT new hires have a maximum of 10 training days; training may be completed in less time. Training may be extended to exceed 10 days, which is up to the manager's discretion. An employee may be terminated if the training is not completed properly within 10 days. In order for the training to be considered "complete"; two driver-trainer employees are required to sign off on the new hire's driving skills. Every shift, each driver-trainer evaluates the new hire's driving. Training will be paid at \$150 a day for a full 12 hour shift. If training is under 8 hours a day you will be paid \$100. Once your trainers approve that your training is complete and you can safely driver and operate a water truck on your own, you will then be moved to your regular shift at your starting pay rate. Please note, any training such as Safeland, Shell, and orientation training that covers OSHA will be paid at the training rate schedule.

If your 90 day probation period is not completed for any reason you will be responsible for repayment of all pre-employment screenings. These screening consist of a DOT Drug Screen, MVR, previous CDL employment verifications, criminal background check, and a PSP. The cost for all pre-employment screenings is \$165. In addition, if ECM pays for PEC Safeland Training that is an additional \$100 and Shell is an additional \$75. These amounts will be deducted from your payroll check. If the company pays for your Prescription Eye Glasses and you separate employment less than 1 year of service, you will owe ECM the amount paid for these glasses. ECM will reimburse up to \$250.

90-Day Probationary Period

It is important to both of us that during your initial period of employment your ability to perform your duties be carefully assessed. Accordingly, we have agreed that the first [Ninety] days of employment represent a probationary period or considered a continuation of the employment selection process, during which we may terminate your employment for any reason without notice and without the payment of any further benefits. During the [90]-days probationary period we will evaluate your work, including your interaction with colleagues, superiors, customers (if applicable), attendance, and conduct to determine whether you are suitable for the position. At the end of the three months a "Notification of Completed Probationary Period" about you will be prepared by your immediate supervisor stating if you have completed the probationary period successfully. If the probation period is completed successfully, the notification will state that you are suitable for regular employment as an employee. The successful completion of the probationary period does not alter or change the status of your "at will" employment, nor does the successful completion create a permanent employment contract. If it has not been executed successfully, necessary steps will be taken to inform you of the results and begin the termination process.

Personnel Records

It is important that the Company maintain accurate personnel records at all times. You are responsible for notifying the Human Resources Department of any change in name, home address, telephone number, marital status, number of dependents, immigration status, or any other pertinent information. By promptly notifying the Company of such changes, you will avoid compromise of your benefit eligibility, the return of W-2 forms, or similar inconvenience.



Attendance and Punctuality

It is important for you to report to work on time and to avoid unnecessary absences. The Company recognizes that illness or other circumstances beyond your control may cause you to be absent from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action up to, and including, discharge. Excessive absenteeism or frequent tardiness puts an unnecessary strain on your coworkers and can have a negative impact on the success of the Company.

You are expected to report to work when scheduled. Whenever you know in advance that you are going to be absent, you should notify your immediate supervisor or the designated manager as soon as possible. If your absence is unexpected, you should reach your immediate supervisor as soon as possible, but in no event later than two hours before you are due at work. In the event your immediate supervisor is unavailable, you must speak with a manager. If you must leave a voicemail, you must provide a number where your supervisor may reach you if need be.

If you are delayed, you must call your immediate supervisor to state the reason for the delay. As with absences, you must make every effort to speak directly with a manager. Regular delays in reporting to work will result in disciplinary action up to, and including, discharge.

Failure to report to work without calling in (No Call/No Show) for three (3) consecutive scheduled workdays will be considered a voluntary resignation.

Inclement Weather

ECM is open for business unless there is a government-declared state of emergency or unless you are advised otherwise by your supervisor. There may be times when we will delay opening, and on rare occasions we may have to close, due to inclement weather. Use common sense and your best judgment, however, when traveling to work in inclement weather.

In the event that ECM's facilities are closed by the company or the government, employees will be paid for the day if they were scheduled to work. If the company's facilities are open and you are delayed getting to work or cannot get to work at all because of inclement weather, the absence will be charged as PTO or unpaid time if PTO is not available. You should always use your best judgment about your own safety in getting to work.

When severe weather develops or is anticipated to develop during the day and a decision is made by Executive Management to close before 5:00 p.m., you will be compensated as if you had worked to the end of your regularly scheduled shift for that day. If you elect to leave prior to the time a decision is made by the company to close early, you will be required to use PTO to be paid for the entire work shift.

Work Schedule

ECM's work schedules can be Full-time, Part-time or Daily.

Due to the demand for ECM's services, schedules can change as needed to meet the service requirements for our customers. Schedules and changes to schedules will be communicated by your supervisor with as much notice as possible. Various factors, such as workloads, operational efficiency, and staffing needs may require variations such as overtime.



Employees may not deviate from the company's hours or schedule of work, unless approved by their supervisor.

You will be provided with the work schedule for your position, including meal times and break times, if applicable. You are expected to be able to work various schedules. For Daily employees, this often requires 24 hours X 7 days per week scheduling flexibility.

Occasionally employees may be required to attend mandatory team meetings. In the event that a mandatory meeting occurs during an hourly employee's regular schedule, they will receive their regular pay. If a mandatory meeting occurs outside of an hourly employee's normal work hours, they may be paid overtime for the meeting, depending on how many hours they have already worked during the work week. Hourly employees not scheduled to work on a day when a mandatory meeting occurs will be paid a minimum of two hours show-up time. Daily employees will be paid at a flat rate for mandatory meeting attendance.

On Call

In the event that there is an unforeseen change in our customer's request for service, employees are placed "on call" so that ECM has employees available to fulfill the demands. If an employee is placed "On Call", it will be unpaid. While "on call" employees are REQUIRED to answer ECM management's phone calls. If "on call" employees do not respond to ECM (in the event that we try to contact them while "on call") it is considered a violation of company policy and may result in disciplinary action, up to and including termination. ECM management will contact employees approximately 2 hours before their scheduled shift to notify them that they are on an "on call" basis (this statement pertains to ECM's Water Truck Driver's); traffic control may be "on call" at any time. When the employee is "on call", they are NOT required to report to work and are NOT working - unless they are called in by ECM. In the event that the customer needs our services, the "on call" employee can expect a phone call from ECM any time prior to the "on call" shift or during the hours of the "on call" - in order to fulfill the customer's request in a timely manner. ECM may call the employee in to report to work outside of the window from 5am/pm-11am/pm; but it is a rare occasion. If "on call" employees do not respond to ECM (in the event that we try to contact them while "on call") it is considered a violation of company policy and may result in disciplinary action, up to and including termination.

Professionalism and Appearance

As an employee of the Company, we expect you to present a clean and professional appearance when you represent us, whether you are in or outside of the office. You are, therefore, required to dress in appropriate attire and to behave in a professional manner. It is essential that you extend the highest courtesy at all times to co-workers, visitors, customers, vendors and clients. Violations of the dress code may also result in the employee being sent home to change clothes, without pay.

Appropriate Business Casual Attire includes:

- Company issued apparel;
- Shirts/blouses with collars, crew necks, and other necklines that are not low-cut or revealing;
- Slacks/khakis;
- Skirts and dresses;
- Calf-length Capri pants;



- Jeans
- Hats/caps

Inappropriate Business Casual Attire is clothing that you may not wear at any time on Company premises. Exceptions need to be approved by Management or Human Resources. Examples of inappropriate attire include, but are not limited to:

- Competitor company apparel;
- Tank tops, spaghetti straps, muscle shirts, halter tops, crop tops, midriff shirts;
- Low-cut shirts, blouses and sweaters;
- Sheer revealing clothes or visible undergarments;
- Saggy pants that hang below the waistline and/or reveal undergarments;
- Skirts or dresses that are excessively short and/or tight fitting;
- Lounge wear;
- Attire with unacceptable logos, graphics and/or words;
- Shorts;
- Beach shoes, flip flops, house shoes/slippers;
- Soiled, torn and/or ripped clothing.

Metatarsal Boot Safety Shoe Policy

This policy is effective and will be fully implemented, Metatarsal boots shall be worn by all ECM CDL Drivers. ECM Drivers are required to provide and wear Metatarsal boots at all times while working at ECM's customer sites. The purpose of this policy is to provide a consistently high level of protection through the use of Metatarsal Boots. They have proven to reduce both the number and severity of injuries from incidents involving the foot. ECM holds safety at the highest standard and expects all employees to come to work prepared and equipped with the proper tools to do their job. Failure to follow ECM's steel toe safety policy could result in disciplinary action up to and including termination of employment.

Effective August 27, 2015; all existing ECM CDL drivers are required to purchase Metatarsal Boots and will be reimbursed up to \$150 with proof of receipt. All new hires are required to provide their own Metatarsal boots within 30 days of employment with ECM. Each existing employee is eligible for the \$150 reimbursement one time throughout their employment with ECM. Employees should complete the Safety Shoe Reimbursement Form and submit it with proof of receipt to their Manager or HR Manager for approval. The approved form is then submitted to the Payroll Coordinator for reimbursement.



Your Performance and Work Expectations

Employment at Will

Your employment is at will and you are free to terminate your employment with ECM at any time, with or without cause, and with or without notice. Likewise, ECM has the right to terminate your employment, or otherwise discipline, transfer, promote or demote you, at any time, with or without cause, and with or without notice, at the discretion of ECM.

No one at ECM can enter into an employment contract with you for a specified period of time, or make any agreement contrary to this Employment-At-Will policy, without the prior written approval of ECM's Chief Executive Officer.

Treating others with dignity and respect is a cornerstone for ECM's success. For the benefit of you, ECM and our clients, it is important to define some general expectations. Accepting responsibility for your workspace, conducting yourself in an ethical and respectful fashion, and performing your job assignments in compliance with all established policies, procedures and performance standards will lead to success for us all.

Code of Business Conduct and Ethics

ECM believes in a foundation of honesty, social responsibility and ethical dealings. In your role as an ECM employee, you are expected to be respectful in all your contacts and to conduct yourself with integrity at all times. You are expected to protect and strengthen ECM's good reputation in all relationships and interactions with clients, other employees, suppliers, competitors, investors and governmental agencies. This policy does not prohibit employees from engaging in activities and/or conduct that are considered to be protected concerted activity under Section 7 of the National Labor Relations Act.

Confidentiality Agreement

As an employee of the Company, you understand and agree the Company will, from time to time, disclose information to you that is confidential. You also understand it is essential to any business that its confidential information be protected, and you agree not to disclose information that could be to the detriment of the Company to anyone not authorized. You also agree not to disclose that information to anyone outside of the Company. Employees are prohibited from discussing their salary or wage levels and company benefits with other employees. Such information is confidential and may not be discussed in the workplace. Any employee violating this policy will be considered to have committed a breach of confidentiality and will be subject to disciplinary action, up to and possibly including termination of employment.

You also understand and agree you will not use or disclose information privy to the Company after you are no longer working with the Company, whether such relationship ends voluntarily or involuntarily. You are expected to promptly notify the Company if you discover anyone using or disclosing confidential information in violation of this agreement. Violation of this agreement will result in disciplinary action and potentially termination.



Access to Personnel Files

Your personnel file is the property of ECM and is considered confidential. It contains information pertaining to your performance and tenure with ECM such as: your application, performance appraisals, any corrective action documents, etc. Sensitive information, such as banking, immigration status and medical information are kept in separate files.

If you would like to review the contents of your personnel file, you should contact Human Resources. ECM will honor your request to review your personnel files in the presence of an authorized Human Resources representative. You may only review your personnel file while you are actively employed at ECM and you may take written notes, but you may not make photocopies or take photos of documents contained within.

Performance Expectations

You are expected to meet the ongoing requirements of your position including, but not limited to, performance standards, duties contained within your position description, certifications and assessment testing.

Your supervisor reviews your performance on an on-going basis, including setting performance goals, clarifying expectations and following up as needed. It is your responsibility to ensure you are meeting these goals and expectations, including communicating with your supervisor regarding any challenges you may be experiencing in the performance of your work duties.

Performance Evaluations

The formal performance evaluation is another way ECM provides feedback and sets future work expectations. Performance evaluations are usually held on an annual basis and will be given by your supervisor. You may request a meeting to discuss your performance with your supervisor at times other than at the scheduled performance evaluation time.

During your performance evaluation, your supervisor will discuss your performance, ratings, standards and behaviors. Additionally, the evaluation is an opportunity to discuss your accomplishments, your career goals and objectives, and any development areas.

Professional Conduct ECM expects you to:

- Take ownership for personal performance and career decisions;
- Follow established policies and procedures;
- Not gossip or act unprofessionally, and
- Assume responsibility for addressing all concerns in a professional and timely manner.

Unprofessional conduct is behavior that is unacceptable in the ECM work environment. The following list does not include all possible examples of unprofessional conduct; it is designed to provide you with guidance for your behavior:

- Engaging in loud disruptive behavior such as fighting, scuffling, yelling, throwing items, or other unsafe behavior;
- Threatening, intimidating, coercing, harassing, or interfering with other employees;



- Sleeping on the job;
- Playing music in a loud or disruptive manner;
- Sitting with feet up on desks or other inappropriate and/or disrespectful mannerisms;
- Insubordination or failing to follow management instructions;
- Interfering, impeding or failing to cooperate with a company investigation;
- Profane and/or lewd language or comments;
- Accepting gifts from clients or individuals conducting business with ECM in conflict with ECM's Ethics Policy;
- Negligence relating to protecting or securing Company assets or confidential information;
- Conducting one's self off duty in a manner that negatively affects ECM's business, image or brand;
- Failure to adhere to the work schedule (i.e. returning late from break and/or lunch);
- Failure to accurately record time worked or recording work for others;
- Improper or destructive use of Company property;
- Theft or misappropriation of the property of others, including ECM;
- Falsification of documentation;
- Violating ECM's policies prohibiting discrimination, harassment and retaliation in the workplace.

This policy does not prohibit employees from engaging in activities and/or conduct that are considered to be protected concerted activity under Section 7 of the National Labor Relations Act.

Corrective Action

ECM strives to provide a work environment that promotes the successful job performance and safety of all of our employees. You are encouraged to take immediate steps to improve job performance that is not meeting expectations.

To maintain a positive and productive work environment, if your job performance and/or conduct do not meet acceptable standards, ECM may provide you with a Corrective Action Plan designed to address and correct:

- Performance issues;
- Unprofessional conduct; and/or
- Violations of Company policies, procedures and/or guidelines.



An ECM Corrective Action Plan is a three-level progressive plan that, without necessary improvement in performance and/or conduct, escalates as follows:

- Verbal Warning;
- Written Warning;
- Probation or Termination of employment.

ECM reserves the right to administer corrective action in the manner it deems appropriate to each situation and may, at its sole discretion, eliminate any or all lower levels of corrective action and proceed to immediate termination of employment if ECM in its discretion believes the specific situation warrants such action. Examples of such situations include, but are not limited to:

- Performance issues that negatively impact ECM's business or ECM's clients;
- Exhibiting a lack of concern for your own safety and well-being and/or the safety and well-being of others;
- Willful misconduct or gross negligence;
- Serious violations of Company policies, practices and/or guidelines.

This policy does not alter or otherwise affect an employee's at-will employment status in any way.

Your Compensation

ECM recognizes the importance of effectively balancing the demands between your work and personal life and offers a variety of opportunities to assist you with those demands - paid Holidays, Paid Time Off (PTO) and time off for voting.

Non-Exempt Time Recording and Overtime

Non-Exempt employees must record all hours worked accurately and timely. If you are a Non-Exempt employee, you are responsible for checking the accuracy of your timecard daily. If you find any inaccuracies within your timecard, you must report it to your supervisor or Human Resources immediately. Timecards must be turned into your supervisor weekly on Sunday by no later than 8:00 a.m.

Employees must use the time clock to accurately record all hours worked by punching in no sooner than five minutes before their scheduled work shift, punching out for lunch, punching back in from lunch and punching out no later than five minutes before their work shift is scheduled to end. No employee is allowed to record time for another employee under any circumstances.

ECM pays all Non-Exempt employees for overtime in accordance with applicable federal and state wage and hour laws.

Non-Exempt employees must get approval in advance to work overtime. Non-Exempt Employees who work overtime without prior approval will be paid for all overtime worked, but will be subject to corrective action up to and including termination.

Non-Exempt employees cannot be asked to work off the clock by anyone at ECM. Performing work off the clock is strictly prohibited for Non-Exempt employees. Management is responsible for ensuring this does not occur and for



taking appropriate action in the event that it does occur. You must promptly report any unauthorized request to work off the clock to Human Resources. No retaliation will be taken, or allowed, for good-faith reports of requests to work off the clock.

Payroll

Employees are paid biweekly. Each pay period runs from Sunday through Saturday, and employees are paid on Friday.

In addition to processing payment of wages and adjustments, Payroll has other related responsibilities about which you may need to know.

ECM is required by law to make certain deductions from every employee's compensation. Among these are applicable federal, state and local income taxes. ECM must also deduct Social Security taxes on each employee's earnings up to a specified limit. ECM matches the amount of Social Security taxes paid by each employee.

Keep your personal contact information current. It is your responsibility to verify and update your personal contact information for accuracy so you receive your payment advice and W-2 in a timely manner. Remember to notify Payroll by following the proper process when your:

- Name changes;
- Mailing address changes;
- Personal or emergency contact number changes;
- Social Security information changes. Pay Periods

All employees are paid every other Friday. When the date falls on a holiday, employees will be paid on the business day before the holiday. Payroll checks will not be released prior to the set pay schedule for any reason, nor will they be released to anyone other than to the employee.

Direct Deposit

ECM will deposit your payment of wages electronically into the bank account of your choice. If you select this method of payment, simply complete the direct deposit enrollment form (available from Human Resources). Please keep in mind that it is your responsibility to notify the Payroll Department of any changes in the status of your bank account(s). Failure to do so may result in delays in receiving your pay. If you do not elect to have direct deposit, your check will be mailed by USPS which may take up to 3-5 business days. We will issue the check bi-weekly on Fridays when payroll is processed.

Garnishments and Support Orders

A garnishment is a court order requiring ECM to send part of an employee's wages to a third party to pay a valid debt. ECM must comply with the terms of a garnishment or court order to be in compliance with the applicable law. ECM will only garnish wages in accordance with state law.

If a wage garnishment, child financial support order, or some other legally valid claim is received by ECM against your wages, you will be notified of the amount and details of the garnishment, or order, prior to the payday subject to the first deduction.



Once ECM begins garnishing your wages, the garnishment may not be stopped until Payroll receives a court-approved order to stop the deduction.

Employment Verifications and References

ECM will only respond to written inquiries for employment verifications. All requests for employment verifications must be faxed to Payroll. Verification includes dates of employment and last position held. Any additional information will be provided only if you complete and sign the required ECM release form.

No one other than a representative of the Payroll Department is authorized to provide a reference check for any current employee or former employee. All reference requests should be directed to the Payroll Department.

Final Pay

Final pay for a former employee (voluntary or involuntary termination of employment) will be paid in accordance with state law. You are responsible for notifying ECM of any changes to your mailing address. Employees will receive any remaining accrued PTO pay which was accrued during the calendar year of the termination date in accordance with Company policy and applicable state law.

Expense Reimbursement

ECM will reimburse employees for reasonable pre-approved business related expenses. Reasonable expenses while traveling on company business include travel fares, accommodations, meals, tips, telephone/fax charges, entertainment of clients and purchases on behalf of the company. Local expenses include company purchases, taxi or public transportation fares when on company business and entertainment of clients.

All expenses must be submitted on the required expense form with receipts and approval by your supervisor prior to the submission for reimbursement. Whenever possible and in situations where the employee may question the reasonableness of an expense, the employee should secure approval in advance of incurring the expense. Unreasonable or excessive expenses will not be reimbursed. Any questions should be directed to your supervisor.

Paid Holiday Time

ECM observes the following six paid holidays:

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

Upon completion of 30 days of continuous service, employees will be paid for ECM observed holidays. If you are eligible for paid holiday time, you will get the observed holiday paid, regardless of whether or not the observed holiday falls on one of your regularly scheduled workdays, provided you worked your last scheduled workday before



the observed paid holiday and your first scheduled workday after the observed paid holiday. You will not receive additional paid holiday time if you are out on pre-approved paid time off during the observed holiday.

If you are a Non-Exempt Full-time Employee scheduled to work on a paid holiday, ECM will pay you your straight-time hourly rate for hours worked plus eight hours of paid holiday time. The paid holiday time is calculated based on your straight-time hourly rate.

If you are a Non-Exempt Part-time Employee who works an average of 16 to 29 hours a week and is scheduled to work on a paid holiday, ECM will pay you your straight-time hourly rate for hours worked plus four hours of paid holiday time. The paid holiday time is calculated based on your straight-time hourly rate.

If you are paid as a Daily employee, you will be paid your daily rate based on the holiday schedule listed above. If you are required to work the holiday, you will receive holiday pay and regular pay for working the holiday.

ECM will make reasonable efforts to accommodate holidays pertaining to an employee's established beliefs that are not included in the above list. Employees should speak with Human Resources to obtain approval for taking time off to observe such holidays.

Paid Time Off (PTO)

The purpose of PTO is to provide our Full-time employees with flexible paid time off from work that can be used for such needs as vacation, personal or family illness, birthday, religious observance, doctor appointments, school, volunteerism, social events, or other activities of the employee's choice. The company's goal is to reduce unscheduled absences and the need for supervisory oversight.

Guidelines for PTO Use

All Full-time Non-Exempt and Exempt employees will accrue PTO based on their "Years of Service" as defined below.

Non-Exempt employees must use PTO in 4-hour increments. Exempt employees must use PTO in full day increments. Time that is not covered by the PTO policy, and for which separate guidelines and policies exist, include company paid holidays, bereavement time off, required jury duty and military service leave.

PTO is accrued in active pay periods. PTO is not accrued in pay periods that include but are not limited to – pay periods during which unpaid leave such as FMLA, short or long term disability leave or Worker's Compensation leave are taken. Employees are required to use any available PTO concurrently with approved FMLA leave, as part of the total approved time off. Employees will not continue to accrue PTO while on FMLA leave.

PTO requires two weeks' notice to your supervisor unless the PTO is used for legitimate, unexpected illness or emergencies. Time off will be granted on a first come, first serve basis in order to meet staffing needs for ECM. In all instances, PTO must be approved by the employee's supervisor in advance. ECM appreciates as much notice as possible when you expect to miss work for a scheduled absence. Employees must complete and submit a PTO Request Form prior to taking PTO, unless PTO is taken for an unexpected illness.

Non-Exempt and Exempt Full-time employees will earn and have available PTO based on the schedule below. Accruals will be calculated over twelve months. For new employees, PTO accrual will begin on 1st day of employment, but accrued hours are not eligible for use until completion of 90th day of employment. Employees must have accrued time in their bank before taking PTO, otherwise any time taken will be considered unpaid leave. Non-



Exempt and Exempt Full-time employees will be eligible for PTO based on the “Years of Service” schedule, as outlined below:

Years of Service	PTO Days/Hours
0 to 5 years	10 Days or 80 hours
6 to 10 years	15 Days or 120 hours
11 to 15 years	20 Days or 160 hours

Employees will be allowed to carry over up to 40 hours of PTO time from the previous year. Any PTO carried over from the previous year must be scheduled and used within the 1st Quarter or by March 31st or it will be forfeited. Any unused PTO time, which was accrued during the calendar year of a termination date, will be paid out upon termination. PTO will not be paid out in a lump sum in lieu of taking paid time off.

Sick Leave

Sick Leave is part of the employee's PTO bank. Employees must report directly to their supervisor, indicating the nature and seriousness of the illness/injury and the anticipated date of return. If the supervisor is unavailable, the employee must leave a message with a return phone number so their supervisor may reach them. Employees must personally report their absences unless they are medically unable to do so. Supervisors will advise employees how to report in cases of extended absences. Employees must provide information to their supervisor so that he or she can assess the employee's ability to work and develop a plan for work completion or returning the employee to work. All PTO must be taken prior to taking unpaid leave.

Tracking and Evaluating Sick Leave

Supervisors must track and evaluate absences to determine reasons for sick leave usage and detect if any patterns are emerging.

Supervisors must require the employee to provide a “Physicians’ Report/Employee Work Status” form from their physician under the following circumstances:

- a) the absence is longer than 3 days,
- b) the use of sick leave is found to be unjustified
- c) the supervisor believes it is necessary to determine the employee's ability to work.

Paid Bereavement Leave

ECM provides Full-time employees with paid bereavement time in the event of the death of the following relatives, defined as being (or having) one of the following relationships to you, the employee:

- Spouse
- Parents
- Children



- Grandchildren
- Grandparents
- Brothers and sisters
- Current mother-in-law or father-in-law
- Current son-in-law or daughter-in-law
- Legal guardians
- Step-relations
- Household members.

If you are a Non-Exempt Full-time employee, you can take up to three consecutive 8-hour days of paid bereavement time, up to a maximum of 24 hours of scheduled work hours, per bereavement incident.

If you are an Exempt Full-time employee, you can take up to three days of paid bereavement time, per bereavement incident.

ECM reserves the right to require documentation for use of paid bereavement time. Human Resources has the discretion to make adjustments to paid bereavement time on a case-by-case basis.

Jury or Witness Duty

ECM supports your legal obligation to serve jury duty or to appear in court as a witness if you are required to appear. As soon as you find out that you are going to be required to be in court for jury or witness duty, you need to submit a copy of the summons to serve to your supervisor or Human Resources. You must also provide proof of service from the court upon completion of jury or witness duty to your supervisor or Human Resources.

With proper documentation, Full-time Employees will receive their normal pay minus the difference for any jury duty fees received while serving jury duty for up to a maximum of 15 calendar days. Other classifications of employees will be granted time off without pay to serve jury duty and will be allowed to keep any jury duty fees received.

With proper documentation, you will be granted unpaid time off if you are summoned to appear in court as a witness. If you have available unused PTO, you may request to use such time for required witness duty.

If you are summoned to appear in court as a witness on behalf of ECM, you will be paid the same as for time at work for the witness duty time. You must report to work as soon as you are released from jury or witness duty.

Time Off For Voting

ECM encourages you to fulfill your civic responsibility by voting in official public elections. If you cannot reach your polling place outside of scheduled work hours, you will be permitted to take up to two hours' time off for voting. You may be required to provide evidence of voting. Time off for voting will be unpaid unless you request use of available PTO.



If there are two hours of open polling time either before or after your scheduled work time, you will not be granted any time off during your regularly scheduled work shift to vote. ECM complies with all applicable federal, state and local voting laws.

Modified/Light Duty Work

In the event of a work-related injury illness, your manager may work with you to reassign you to modified or light duty. The injury or illness must be reported immediately, and with proper medical documentation including specific job duties allowed by medical professionals. The Company will determine appropriate work hours, shifts, duration, and locations of all work assignments. The Company reserves the right to determine the availability, appropriateness, and continuation of all modified/light duty assignments and job offers. The Company is not required to reassign you to modified or light duty in the event of an off-duty injury or illness, but you may discuss options with your manager.

Your Employee Benefits

This section describes the health and welfare benefits provided by ECM and information on your eligibility for benefits. Details regarding each benefit plan are contained in the Company's Benefit Booklet. Benefit plans governed by the Federal Employee Retirement Income Security Act (ERISA) may be further described in formal summary plan descriptions or other legal documents available for your review by contacting Human Resources.

ECM reserves the right at its sole discretion to change, alter, add or eliminate said plans, including the amount that you may be required to contribute towards the premiums for any of these plans. No benefits are payable to employees at any time, including upon termination of employment, unless expressly and clearly stated in this Handbook.

ECM provides a selection of health and welfare benefits to assist our eligible employees with meeting your own and your family's needs.

Health and Welfare Benefits Eligibility

You will have the opportunity to enroll in certain health and welfare benefits upon meeting eligibility requirements:

- If you are a Traffic Control Employee paid on a Daily basis, or an Exempt or Non-Exempt Full-Time Employee working 30 or more hours per week, you become eligible for health and welfare benefits at 90 days of service.
- If you are Part-time, Contract or a Consultant, you are not eligible for health and welfare benefits.

Health and Welfare Benefits Payroll Deduction

Your benefits premiums are paid through payroll deductions current with the benefits' plan coverage. All necessary benefit premium deductions will be withheld from the appropriate payroll, including those through qualified medical child support orders. Additional premiums may be withheld from payroll, including the final pay check, for any missed or owed deductions to cover the monthly cost of the benefits.

Medical Insurance

ECM offers medical insurance to eligible employees and their qualified dependents. Refer to the plan summary for details regarding coverage, eligibility, waiting periods and cost. The medical insurance benefits are administered by a major medical insurance carrier.



Employees' spouses who receive medical benefits through their employers are not eligible for benefits through ECM. Family members may be covered under either the employee's or spouse's medical benefits plan.

Voluntary Dental Insurance

ECM offers a voluntary, employee paid, dental insurance program to eligible employees and their qualified dependents. Refer to the plan summary for details regarding coverage, eligibility, waiting periods and cost. The dental insurance benefits are administered by a major insurance carrier. You are responsible for the entire cost of the voluntary dental plan premium.

Voluntary Short-Term and Long-Term Disability Plan

ECM offers a voluntary, employee paid, Short-Term and Long-Term Disability Plan to eligible employees. Refer to the plan summary for details regarding coverage, eligibility, waiting periods and cost. These Plans are administered by a major insurance carrier. You are responsible for the entire cost of the Plan premiums.

Open Enrollment

The open enrollment period allows employees to add or change their benefits coverage. Applications for Medical or Dental Insurance may be submitted during this period. Changes, additions and other elections made during Open Enrollment will take effect on the effective date following the Open Enrollment period. Once you have made a change, you cannot change that selection until the next Open Enrollment period (except in the case of a qualified life status change; see Special Enrollment).

Special Enrollment

A Qualifying Event, such as certain life status changes--marriage, birth or adoption of a child or involuntary loss of medical and/or dental coverage, etc., allow entry into these Plans as long as application for coverage is made within 30 days of the Qualifying Event. For specific details regarding Special Enrollment please refer your Summary Benefits Plan Description.

Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified dependents and/or beneficiaries the opportunity to continue medical and dental insurance coverage under ECM's health and welfare benefits plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at ECM's group rates plus an administration fee. ECM or its COBRA Administrator provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under ECM's health insurance plan. The notice contains important information about the employee's rights and obligations.

It is the sole responsibility of the employee to promptly notify Human Resources of a qualifying event. Failure to do so, in a timely manner, will be considered a voluntary termination of benefits.



Workers' Compensation

It is ECM's primary interest to ensure a safe working environment. In the event that you are injured at work, it is imperative that you receive the proper care necessary, and in a timely manner. As such, please contact your immediate supervisor or the Safety Manager right away if you are injured.

In the event of a work related injury, ECM provides Workers' Compensation Insurance protection for all employees. Applicable federal and state laws determine Workers' Compensation benefit amounts and the medical coverage programs are based on the specific injury or illness involved. If you suffer an injury on Company premises, the incident must be immediately reported, preferably during the work shift in which the injury occurred, to your supervisor or the Safety Manager. There are specific procedures that must be followed by ECM to document, and report, work-related injuries.

Leaves of Absence Overview

ECM recognizes that you may need to request a Leave of Absence for a variety of reasons. Types of leaves of absence that are available to eligible employees include:

- Family and Medical Leave
- Personal Leave
- Military Leave
- Military Caregiver Leave
- Qualifying (Military) Exigency Leave

Employees on an approved leave of absence are still considered to be employees of ECM. You will not receive Paid holiday time if you are out on an approved leave of absence.

You are responsible for informing your supervisor or Human Resources if you need to be absent from work for:

- Three or more consecutively scheduled days; or
- Three or more non-consecutive days for the same reason; or
- If you are hospitalized for any duration

Requests for leaves of absence will be considered under the guidelines for each type of leave, any applicable laws, and/or business need. Details concerning the specific types of leave are available from Human Resources.

Family and Medical Leave

ECM follows the provisions outlined in the Federal Family and Medical Leave Act (FMLA). You must have been employed with ECM for at least 12 months, and have worked at least 1,250 hours during the past 12 months, to be eligible for FMLA leave.

FMLA eligible employees can use a total of up to 12 weeks of unpaid leave during any rolling 12- month period, measured from the date the leave is first taken, for the following circumstances only:



- When you are unable to perform regular daily work activities, including an inability to perform the functions of your position, because of your own serious health condition;
- Upon the birth of your child;
- Upon the placement of a child with you for adoption or foster care;
- If you need to care for a spouse, son, daughter or parent who has a serious health condition.

If you are eligible for FMLA leave, you are responsible for providing a 30-day notice for any leave that is foreseeable. If you cannot provide 30 days' notice you are responsible for providing as much notice as possible.

An employee who wishes to request FMLA leave is required to contact Human Resources to request a leave packet and do the following:

- Complete ECM's form for request of an FMLA leave of absence and submit to Human Resources;
- Obtain medical certification of the need for FMLA leave from a health care provider (if applicable), and return the completed form to Human Resources, no later than 15 days after you request the leave of absence; and
- Comply with any further requirements related to your leave as communicated to you by Human Resources.

Employees are required to use any available PTO concurrently with approved FMLA leave, as part of the total approved time off. Contact Human Resources for further information.

Time spent on FMLA leave will not be counted toward certain service-based benefits including PTO. You will not continue to accrue PTO benefits while on FMLA leave.

ECM will continue group health plan coverage at the level and under the conditions that coverage would have been provided had you continued working and not taken approved leave. While on leave, you are responsible for mailing or delivering your payment for health insurance coverage to ECM before the due date.

If you return from FMLA leave within the 12-week period, you will be restored to your former position or, if unavailable, to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

ECM will consider an employee on FMLA leave to have voluntarily resigned if you:

- Fail to provide proper certification of your need for leave within 15 business days of your request for leave;
- Fail to return to work on the next regularly scheduled workday after the conclusion of your approved leave period;
- Fail to obtain a leave extension from Human Resources prior to expiration of your approved leave period;
- Accept other employment during the leave period, unless on a leave protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA).

If your total leave time (FMLA, Personal Leave of Absence, and/or Military Leave combined) extends beyond six months then your employment may be terminated. Where warranted, leave time may be extended on a case-by-case basis unless such extension would cause undue hardship to the Company.



Personal Leave

Employees who have successfully completed (6) six months of service with ECM are eligible to apply for a personal leave of absence under certain circumstances. Personal leaves of absence may be granted in the event of medical emergencies, travel emergencies or other unforeseen extenuating circumstances, where FMLA is not available.

Personal leaves of absence may be granted if business needs permit, and are granted at the discretion of Human Resources and/or ECM Management.

To request a personal leave of absence you need to submit a written request at least seven working days prior to the start of the leave. If you are unable to provide seven working days advance notice, you are responsible for providing as much notice as possible. Personal leaves of absence are typically granted for not less than seven days and not more than 60 days in a calendar year.

Reinstatement is based on business needs, and there is no guarantee that an employee on a personal leave of absence will return to the same or an equivalent position.

For approved personal leaves of absence, available PTO must be used concurrently as part of the total approved time off.

Time on an approved personal leave of absence will not be counted toward service-based benefits, including PTO. You will not continue to accrue PTO benefits while on a personal leave of absence.

ECM will continue group health plan coverage at the level and under the conditions that coverage would have been provided had you continued working and not taken approved leave. While on leave, you are responsible for mailing or delivering your payment for health insurance coverage to ECM before the due date.

ECM will consider an employee on a Personal Leave of Absence to have voluntarily resigned if you:

- Fail to provide Human Resources with any documents or information requested in connection with a personal leave of absence;
- Fail to return to work on the next regularly scheduled workday after the approved leave period;
- Fail to obtain a leave extension from the Human Resources Department prior to expiration of the approved leave period;
- Accept other employment during the leave period, unless on a leave protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA).

If your total leave time (FMLA, Personal Leave of Absence, and/or Military Leave combined) extends beyond six months then your employment may be terminated. Where warranted, leave time may be extended on a case-by-case basis unless such extension would cause undue hardship to the Company.



Military Leave

ECM provides Military Leave without pay for Active Military or Reserve duty. If you are called or volunteer for Active Military duty, the Reserves, or the National Guard, you should contact Human Resources to obtain the appropriate paperwork to request leave. A copy of your military orders will be requested and must be provided to ECM.

If you enter military service, ECM will grant a Military Leave of Absence for the period of the service. If you are a Reservist or a member of the National Guard, ECM will grant time off without pay for the period of required military training.

If you are on Military Leave from ECM, you may elect to continue your benefits coverage as provided for in the Uniformed Services Employment and Reemployment Rights Act of 1994. While on Military Leave, you are responsible for mailing or delivering your payment for health insurance coverage to ECM before the due date.

ECM complies with all applicable federal and state laws in determining eligibility for reinstatement from Military Leave. For further explanation of the effects Military Leave can have on your employment and benefits, contact Human Resources.

If your total leave time (FMLA, Personal Leave of Absence, and/or Military Leave combined) extends beyond six months then your employment may be terminated. Where warranted, leave time may be extended on a case-by-case basis unless such extension would cause undue hardship to the Company.

Military Caregiver Leave

The Federal Family and Medical Leave Act, as amended in 2008 and 2010, allows an employee who is the spouse, son, daughter, parent or next of kin of a member of the Armed Forces or certain veterans with a serious illness or injury up to 26 weeks of unpaid leave within a 12-month period to care for the injured or ill service member. An employee may not, however, take more than 26 weeks of FMLA leave of all kinds in a single 12-month period. (For example, if you take 6 weeks of FMLA leave for your own illness or that of a family member, you may take no more than an additional 20 weeks to care for an ill or injured service member in a single 12-month period). Generally, you must give the company at least 30 days' notice before the commencement of any military caregiver leave.

Qualifying (Military) Exigency Leave

The Federal Family and Medical Leave Act, as amended in 2008 and 2010, allows for up to 12 weeks of unpaid leave within a 12-month period when an employee's spouse, son, daughter or parent is on active duty in the regular Armed Forces, National Guard or Reserves and has been notified of a deployment to a foreign country. This leave may be used to take care of such things as attending military sponsored functions and making alternative childcare, financial or legal arrangements as necessitated by the deployment of the family member.

Open Door

ECM maintains an open-door policy. You are strongly encouraged to voice concerns that arise during the course of your employment openly and directly with your supervisor or Human Resources.

Voicing concerns means utilizing all available communication channels including email, phone, or face-to-face meetings to communicate with your direct supervisor. If you continue to have concerns after communicating with your direct supervisor, you should then go to the next higher level of management.



Communications are usually most effective when you begin with the level of authority directly above you. It is generally more appropriate to start with your direct supervisor, but if you feel uncomfortable discussing your concerns with your direct supervisor or another manager (because of their direct involvement in the issue), you should bring your concern directly to Human Resources.

Classifications of Employment

ECM classifies your employment for purposes of salary administration, determination of benefits eligibility, and overtime status. All ECM employment classifications are in compliance with applicable federal and state laws and regulations. ECM reserves the right to revise the number and types of employment classifications at any time.

ECM Job Classifications

- You are considered a Full-time Employee if you work an average of 30 or more hours per week for more than 8 consecutive weeks.
- You are considered a Part-time Employee if you work less than an average of 30 hours per week for more than 8 consecutive weeks.
- You are considered a Daily Employee if you are paid a daily rate. Exempt Employees

If you are classified as an Exempt employee, you are in a job that is exempt from coverage under the Fair Labor Standards Act (FLSA) and consequently are not eligible for overtime pay. Exempt employees are generally salaried and fall into one or more of the following categories: executive, professional, outside sales, administrative and some technical jobs.

Non-Exempt Employees

If you are classified as a Non-Exempt employee, you are in a job that is covered by the wage and hour regulations of the Fair Labor Standards Act (FLSA). Non-exempt jobs must be paid at least the current federal minimum wage rate and overtime (payment for time worked in excess of 40 hours per work week) in accordance with applicable wage and hour laws. All Non-exempt jobs at ECM are paid on an hourly basis. Non-Exempt employees are required to submit a time record for each pay period, approved by the appropriate manager, for the purpose of tracking hours worked and calculating compensation. Non-Exempt employees must receive prior approval from their supervisor for all overtime worked. Employees who do not receive prior approval from their supervisor for overtime worked will be paid overtime in accordance with applicable wage and hour laws, but may be subject to corrective action. It is also imperative that Non-Exempt employees review the accuracy of how they are paid and report any discrepancies in hours to their supervisor or Human Resources.

Daily Employees

Traffic Control are paid on a daily basis. If you are classified as a Daily employee, you are paid on the basis of the job function performed on a daily basis, with an established minimum pay rate. Daily employees are scheduled as needed and are required to submit a time record for each pay period, approved by the appropriate manager, for the purpose of tracking days and jobs worked and calculating compensation.



Rehire and Service Time

ECM uses consistent criteria to determine whether employees can be rehired. Certain termination reasons will determine eligibility for rehire. If you are rehired after leaving employment with ECM for 30 days or less, the following may be bridged or returned to the same status as at the time of your termination:

- Service time;
- Attendance record;
- Any Corrective Action Plan;
- Previous Health and Welfare benefits unless you have experienced a Qualifying Life Event.

If you are rehired after a period of more than 30 days, you will be considered a new hire and your service time will start over as of your rehire date.

Rehired employees will be subject to ECM's pre-employment background and drug testing at rehire.

Personal Relationships in the Workplace

ECM permits the employment of certain relatives within the same ECM location, but not when a supervisory relationship exists.

These relatives are defined as being (or having) one of the following relationships to you, the Employee:

- Spouse
- Parents
- Children
- Grandchildren
- Grandparents
- Brothers and sisters
- Current mother-in-law or father-in-law
- Current son-in-law or daughter-in-law
- Legal guardian
- Step-relations
- Household members
- Dating relationship

Employees who have relatives employed by ECM can work at the same location, but cannot have a supervisory relationship. Employees who are in a dating relationship can work in the same location, but cannot have a supervisory relationship. If you become aware of any situation that may present an actual or perceived conflict of interest between two relatives or individuals involved in a dating relationship, it is your responsibility to let your



immediate supervisor know so he/she can inform Human Resources. Human Resources will decide what appropriate action will be taken. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Outside Business Activity (Non-ECM Employment)

It is imperative that any driver who is working outside of ECM (for multiple employers) inform Safety immediately that you have another job.

By Multiple Employer we mean:

You have another job where you get paid.

You **MUST** report all time you worked for another employer, as a driver or otherwise, as these hours **MUST** be used to calculate your compliance with the FMCSA Hours of Service Regulations. **IT IS YOUR RESPONSIBILITY** to inform Safety immediately.

Question 11: Is a driver who works for a motor carrier on an occasional basis and who is regularly employed by a non-motor carrier entity required to submit either records of duty status or a signed statement regarding the hours of service for all on-duty time as “on-duty time” as defined by §395.2?

Guidance: YES

On-duty time means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. On-duty time shall include:

- (1) All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the motor carrier;
- (2) All time inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- (3) All driving time as defined in the term driving time;
- (4) All time in or on a commercial motor vehicle, other than:
 - (i) Time spent resting in or on a parked vehicle, except as otherwise provided in § 397.5 of this subchapter;
 - (ii) Time spent resting in a sleeper berth; or
 - (iii) Up to 2 hours riding in the passenger seat of a property-carrying vehicle moving on the highway immediately before or after a period of at least 8 consecutive hours in the sleeper berth;
- (5) All time loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded;
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle;
- (7) All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, to comply with the random, reasonable suspicion, post-crash, or follow-up testing required by part 382 of this subchapter when directed by a motor carrier;



(8) Performing any other work in the capacity, employ, or service of, a motor carrier; and

(9) Performing any compensated work for a person who is not a motor carrier.

You are allowed to hold other employment in addition to your employment with ECM, unless in the opinion of ECM, your other employment:

- Interferes with your ECM job performance or your ability to meet ECM scheduling requirements;
- Involves the use, possible use or disclosure of ECM's, or ECM's clients', proprietary or confidential information;
- Involves an ECM supplier, client or competitor;
- Could be considered a conflict of interest.
- Is conducted during or conflicts with your ECM work schedule, unless you are an emergency medical service attendant or are a member of a volunteer fire department who responds to an emergency call prior to the time you are to report to work that results in a loss of time from your employment;
- Involves the use of ECM's equipment, supplies, software or other resources; Occurs while on an ECM-approved Leave of Absence with the exception of leaves protected by the Uniformed Services Employment and Reemployment Rights Act(USERRA).

Separation Policies - Termination

Your employment with ECM is at-will. You and ECM have the right to terminate your employment at any time, with or without cause, and with or without notice.

Although we hope that your career with ECM will be long and rewarding, there are situations where separation may become necessary. Below are examples of some of the most common circumstances under which employment is terminated:

- Resignation - voluntary employment termination initiated by an employee.
- Discharge - involuntary employment termination initiated by the company. Termination Process

ECM requires that employees return all documents, files, computer equipment, uniforms, company tools, business credit cards, keys and other company-owned property on or before the last day of work. In accordance with the Employee Separation Checklist that is signed by all applicable employees, if an employee does not return all ECM property upon termination of employment, the employee will be charged for each item not returned from the proceeds of his/her final paycheck, with the deductions not exceeding state or federal minimum wage requirements. Final paychecks will be distributed in accordance with applicable state laws. Employees leaving the company voluntarily may have an exit interview with Human Resources.

Job Abandonment

Employees who are absent for more than three (3) consecutive days without notifying their immediate supervisor or Human Resources are considered to have voluntarily terminated their employment with ECM.

The effective date of termination will be the last day the employee reported for work.



Your Workplace

It is ECM's intent to provide a safe and pleasant work environment for all of our employees. Our employees are our most valuable asset and we want to protect you, as well as our clients, visitors and others with whom we do business. It is beneficial for all of us to know ECM's safety policies, practices and procedures and to always follow them. Stay aware and stay informed.

Safe Workplace

Safety is everyone's responsibility. Each of us paying attention to safety matters will make our workplace safer for all of us. Your responsibilities as outlined in this Employee Handbook and as stated within the ECM Safety Policies and Procedures Manual, include, but are not limited to:

- Obeying safety rules;
- Keeping work areas clean and free from slipping or tripping hazards;
- Using care when lifting and carrying objects;
- Observing restricted areas and all warning signs;
- Reporting unsafe conditions to a member of management.

Company premises means all company property, offices, facilities, parking lots (and vehicles parked in them), company-owned vehicles, buildings, or structures, whether owned, rented or leased by the company. This also includes all customer/clients' properties, any other work locations, sites of company-sponsored activities, and/or any company-paid transportation to and from those locations while in the course and scope of Company business. Employees must understand and acknowledge that there is no expectation of privacy regarding items brought onto Company premises.

Searches

To ensure a safe workplace for all, it may become necessary to search items brought onto Company premises. When you enter Company premises, you consent to allow ECM, or its authorized representatives, to search equipment, desks, personal items, your personal vehicle, etc. while you enter, occupy or depart Company premises. These searches may be conducted with or without notice, and with or without your presence.

If you refuse to submit to a search or an inspection, or interfere with one, you may be subject to corrective action, up to and including termination of employment.

Emergency Response Procedures

Sudden illnesses and injuries may occur while on Company or customer premises. If you discover an injured or ill person on the Company or customer premises, do not move the person or attempt to perform medical care procedures. Instead, immediately contact a supervisor who will respond to the situation.

You are responsible for immediately reporting every accident and injury to a supervisor when it occurs and for understanding and following customer protocols when at a customer location.



Posted throughout the company sites are copies of ECM's Emergency Procedures. Please read and understand all instructions thoroughly. You are responsible for:

- Being familiar with all of the exits for the area in which you work;
- Understanding the correct emergency response procedures for your location; and
- Following emergency instructions and procedures, including exiting the site premises as directed.

Postings

Bulletin boards, employee break areas, Company email and the Company's intranet are to be used for business-related postings and communications only. It is against Company policy to post non-ECM related materials in any Company facility without the prior approval of Human Resources. Examples of these postings include commercial solicitation for an outside organization, material that is otherwise in violation of Company policy, such as obscene, sexually harassing or libelous materials, lotteries, sports pools or similar, financial appeals for the assistance of employees or friends, bake sales, etc. Human Resources will monitor, update and remove items at the Company's sole discretion. Employees should make an effort to check the bulletin boards within their facility on a regular basis, such as at the beginning of each work shift.

ECM Company Policies

Sexual Harassment Policy

The Company is committed to providing a professional work environment for all of our employees. In keeping with this commitment, sexual harassment is unacceptable and will not be tolerated from any source (co-workers, supervisors, visitors, outside vendors, etc.). The Company considers sexual harassment in any form to be a serious offense. Each employee is responsible for being familiar with this policy and is to refrain from engaging in any conduct contrary to this policy.

Sexual harassment is prohibited, and may be illegal, whether between people of different sexes or the same sex. Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is explicitly or implicitly required to keep or obtain a job, promotion, or other tangible benefit of employment;
 - Submission to or rejection of such conduct is used as the basis for making favorable or unfavorable decisions affecting the person's employment; or
 - Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
- Examples of inappropriate behaviors considered to be sexual harassment include, but are not limited to: --
- Unwanted physical contact or touching of a sexual nature.
 - Unwanted sexual flirtations, advances or propositions.
 - Offensive or degrading sexual remarks, innuendoes, pranks, jokes or gestures.
 - Displaying sexually suggestive objects, books, magazines, photographs, drawings or messages (including computer generated and video).



- Engaging in sexually suggestive communications (including e-mail, voicemail, memos, etc.).
- Describing sexual exploits, questioning others about their sexual activities.
- Interfering with an employee's work performance by unwanted sexual language or conduct.
- Name calling or use of profane language;
- Hindering a person's movement;
- Unwelcome physical touching of any kind; or
- Any other conduct deemed inappropriate or harassing by ECM or the individual(s) involved.

These behaviors are unacceptable both at the physical workplace and in any work-related setting outside the workplace, such as in written or verbal messages, during business trips, business meetings and business-related social events.

NONE OF THESE BEHAVIORS WILL BE TOLERATED!

Anyone who believes he or she has been sexually harassed on the job, regardless of whom the alleged offender may be, must contact their supervisor, another member of management, or Human Resources at 888-523-9095 immediately. Reports of sexual harassment will be kept confidential to the extent possible, subject to the Company's legal obligation to investigate and respond appropriately to such allegations.

Managers and supervisors who receive a formal or informal complaint of harassment, or who otherwise become aware that harassment may have occurred in the workplace, must report the complaint or harassment to Human Resources at 888-523-9095. This includes complaints made by employees who witness the harassment of another employee, even if the target of the conduct does not complain.

There will be no retaliation against any person involved in lodging a complaint of sexual harassment, or any person providing information in response to an investigation of such complaints, even if the investigation produces insufficient evidence to support the complaint. However, the Company considers filing intentionally false reports of sexual harassment to be a violation of this policy.

The Company will promptly investigate all complaints of sexual harassment and take necessary corrective action. Anonymous complaints are often difficult or even impossible to investigate, so it is imperative that you provide as much specific information as possible to enable us to complete a thorough investigation.

Persons determined to have violated this policy will be subject to a variety of disciplinary actions, up to and including termination.

Anti-Harassment Policy

In keeping with its commitment to provide a professional work environment, the Company believes the workplace should be free from "harassment", which is defined in this policy as harassment because of a person's race, color, ancestry, national origin, religion, creed, gender, sexual orientation, gender identity, age, blindness, handicap, serious medical condition, disability, veteran status, marital status, familial status, spousal affiliation, or any other status protected by federal, state, county or local law. Such harassment is unacceptable and will not be tolerated from any source (co-workers, supervisors, outside vendors, etc.). The Company considers harassment to be a



serious offense. Each employee is responsible for being familiar with this policy and is to refrain from engaging in any conduct contrary to this policy.

Harassment consists of acts and intimidation that demonstrate hostility or aversion toward an individual because of his or her protected status when:

- Submission to such conduct is explicitly or implicitly required to keep or obtain a job, promotion, or other tangible benefit of employment.
- Submission to or rejection of such conduct is used as the basis for making favorable or unfavorable decisions affecting the person's employment; or
- Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Examples of inappropriate behaviors that may be considered to be harassment include, but are not limited to, the following:

- Expectations that an individual submit to demeaning or degrading conduct (verbal, non-verbal or physical) in order to keep or obtain a job, promotion, or other tangible benefit of employment.
- Epithets, slurs, derogatory remarks, bullying, demeaning stereotyping, pranks or jokes; whether spoken, displayed on a computer, written on walls, used in memos, e-mails or voicemail, expressed as words or in the form of pictures or cartoons.
- Hostile, intimidating or threatening acts such as stalking, obstructing someone's path or gestures.
- Mocking individual traits such as one's accent, skin color, disability or religious beliefs.
- Vandalism or deliberate destruction or degradation of someone's property or possessions.

These behaviors are unacceptable both at the physical workplace and in any work-related setting outside the workplace, such as in written or verbal communications, during business trips, business meetings and business-related social events.

NONE OF THESE BEHAVIORS WILL BE TOLERATED!

Anyone who believes he or she has been harassed on the job, regardless of who the alleged offender may be, must contact their supervisor, another member of management, or Human Resources at 888-523-9095 immediately. Reports of harassment will be kept confidential to the extent practicable, subject to the Company's legal obligation to investigate and respond appropriately to such allegations. Anonymous complaints are often difficult or even impossible to investigate, so it is imperative that you provide as much specific information as possible to enable us to complete a thorough investigation.

Managers and supervisors who receive a formal or informal complaint of harassment, or who otherwise become aware that harassment may have occurred in the workplace, must report the complaint to Human Resources at 888-523-9095. This includes complaints made by employees who witness the harassment of another employee, even if the target of the conduct does not complain.

There will be no retaliation against any person involved in lodging a complaint of harassment, or any person providing information in response to an investigation of such complaints, even if the investigation produces



insufficient evidence to support the complaint. However, the Company considers filing intentionally false reports of harassment to be a violation of this policy.

The Company will promptly investigate all complaints of harassment and take necessary corrective action. Anonymous complaints are often difficult or even impossible to investigate, so it is imperative that you provide as much specific information as possible to enable us to complete a thorough investigation. Persons determined to have violated this policy will be subject to a variety of disciplinary actions, up to and including termination.

EEO Resolution Procedures

All incidents of harassment, discrimination and retaliation must be reported to the Company as set forth below. Individuals who believe they have experienced harassment and/or discrimination and/or retaliation on the job must follow these procedures. Complainants are assured that complaints and investigations will be kept confidential to the extent practicable, subject to the Company's legal obligation to investigate and respond appropriately to such allegations.

The Company will promptly investigate all complaints of harassment, discrimination and retaliation and take necessary corrective action. Offending individuals are subject to a variety of disciplinary actions, up to and including termination.

Reporting A Complaint: If you believe you are being sexually harassed or discriminated against because of race, color, ancestry, national origin, religion, creed, gender, sexual orientation, gender identity, age, blindness, handicap, disability, serious medical condition, veteran status, marital status, familial status, spousal affiliation, or any other status protected by federal, state, county or local law, or if you believe you are being retaliated against for making a complaint or participating in a Company investigation, you should take the following steps:

- Tell the offender to stop (Incidents of harassment only): Harassment can often be stopped or prevented by directly and immediately telling the offender that the conduct is offensive, unwelcome and inappropriate and must be stopped immediately. This step is optional, but employees are encouraged to assert their right to a harassment-free work environment.
- Notify an ECM Representative: All complaints of harassment must be brought to the Company's attention.

Promptly report the incident of harassment, discrimination and/or retaliation to your supervisor, another member of management, or Human Resources at 888-523-9095.

This policy includes complaints made by employees who witness the harassment, discrimination or retaliation against another employee, even if the target of the conduct does not complain.

Investigations - The Human Resources Department will promptly investigate the complaint. Investigations may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or have other relevant knowledge. Anonymous complaints are often difficult or even impossible to investigate, so it is imperative that you provide as much specific information as possible to enable us to complete a thorough investigation. When the investigation is concluded, the employee bringing the complaint, unless anonymous, will be notified of the results. However, please be aware that the employee bringing the complaint may not be informed of the exact nature of any disciplinary action taken against an offending employee.

Commitment to Corrective Action – The Company does not tolerate harassment, discrimination or retaliation. Any employee determined to have engaged in acts of harassment, discrimination or retaliation will be subject to



appropriate disciplinary action, up to and including discharge. When appropriate, the Company will take other actions to remedy the effects of any harassment, discrimination or retaliation and prevent its reoccurrence.

Commitment to Non-Retaliation

Harassment, intimidation, threats, coercion, discrimination or retaliation in any other form is strictly prohibited against anyone for: (i) making a good faith internal complaint of conduct violating this policy, (ii) filing a complaint allowed by any equal employment opportunity law or regulation ("EEO laws"); (iii) participating in an investigation or any other activity undertaken by the Company or any governmental agency related to compliance with this policy or any EEO law; (iv) opposing in good faith any act or practice that violates any EEO law; or (v) engaging in any activity or conduct protected by law. However, the Company considers filing intentionally false complaints or intentionally providing false information to be a violation of our policies.

Americans with Disabilities Act

As an equal opportunity employer, the Company prohibits discrimination prohibited by applicable law against people with disabilities, as defined by law. This is in accordance with the Americans with Disabilities Act of 1990 (ADA), and applicable state law, which prohibit discrimination against persons with disabilities in hiring as well as in all terms and conditions of employment. In order for a person to obtain the protection offered by the ADA and applicable state law, an individual must have a physical or mental impairment that substantially limits one or more major life activities, have a record of such impairment, or be regarded as having such impairment.

To the extent as may be required by applicable law, the Company will implement a reasonable accommodation(s) to ensure equal opportunity in the application and hiring process, to enable employees to perform essential functions of the job, and to enjoy the same level of benefits and privileges of employment as are enjoyed by employees without disabilities.

Qualified individuals with disabilities may make a request for reasonable accommodation to their supervisor or Human Resources. On receipt of an accommodation request, Human Resources may meet with the requesting individual to discuss the disability and the request for an accommodation. Human Resources also may request from the individual written notification from a medical professional detailing the nature of the disability, the requested accommodation, or take any other steps necessary to identify the precise limitations resulting from the disability in order to determine the feasibility of the requested accommodation.

Any employee who has a disability will be permitted to continue active employment as long as the employee is able to perform all essential job functions, with or without reasonable accommodation (as determined by the Company in conjunction with the employee's medical provider), is not contagious or does not put other employees' health or safety at risk, under normal workplace conditions, and can meet acceptable levels of performance as established by the Company. Human Resources will review each request for accommodation on an individual basis, and reasonable job-related accommodations will be made when appropriate and possible in accordance with federal, state and local laws. Precautions may be taken to ensure that an employee's condition and/or job-related accommodation does not represent a health risk and/or safety threat to other employees.



Violence in the Workplace

ECM maintains a Zero Tolerance standard of violence in the workplace. It is ECM's intent to provide a safe and secure work environment free from acts and threats of violence. Acts of violence and/or intimidation will not be tolerated. Such acts include, but are not limited to:

- Any abusive, destructive, bullying or other threatening behavior;
- Direct, conditional, verbal or veiled threats of harm to any employee or company property and/or any person on property utilized by ECM;
- Violence against oneself.

If you, as an ECM employee, are subjected to or threatened with violence and/or are aware of another who has been subjected to or threatened with violence, report this information immediately to your supervisor. Your supervisor is required to notify Human Resources immediately. All threats are taken seriously and Human Resources will report threats to ECM Management and to law enforcement authorities, as appropriate.

Possession of Weapons and Firearms

ECM strictly prohibits the possession of weapons, firearms and ammunition (whether classified as legal or illegal) on Company premises unless needed for the business purposes of the Company. Such items include, but are not limited to:

- Guns (including all concealed handguns even if the individual has a valid license to carry a concealed handgun);
- Knives with more than 4" blades;
- Explosives, dangerous chemicals or ammunition;
- Like or similar items that have the intent to intimidate, attack or cause harm to others.

All employees of ECM share the responsibility of identifying violators of this policy. If you witness or suspect another individual of possessing weapons or firearms on Company premises, you should immediately report this information to your immediate supervisor or Human Resources.

This policy does not prohibit employees from transporting and/or storing a firearm or ammunition in a locked vehicle in the Company parking lot only. However, the use, display, or threatened use of such a firearm or ammunition will be a violation of this policy. An employee's vehicle may be searched to determine compliance with this policy.

Gift Policy

Gifts of any kind and of any value, no matter how small or large, that are offered at any time, on or off work premises, by vendors, suppliers, customers, potential employees, potential vendors and suppliers, or any other individual or organization are to be reported for authorization* within 24 hours of a gift offer or exchange**. Failure to do so will result in immediate termination.

**An offer constitutes any mention of a gift, while an exchange constitutes a gift being received by anyone, (yourself, or any other individual - ECM employee or not) on your behalf, regardless of your physical presence.



Drug-Free Workplace

The Company takes seriously the problem of drug and alcohol abuse, and is committed to providing a substance abuse-free workplace for its employees. Substance abuse of any kind is inconsistent with the behavior expected of our employees, subjects all employees and visitors to our facilities to unacceptable safety risks, and undermines our ability to operate effectively and efficiently. The Company has adopted a formal policy related to substance abuse. As a condition of employment, you are required to abide by the terms of this policy.

It is a condition of employment with the Company to refrain from possessing, selling, soliciting, transferring, producing, distributing, dispensing, and/or using illegal or unauthorized legal drugs or alcohol either on the job or off the job. You may be subject to drug and alcohol testing at the Company's discretion in order to enforce this policy. Reporting to work or attempting to work under the influence of intoxicating liquors while on duty on the Company property, drinking, attempting to drink, selling, bartering, giving, or distributing intoxicating liquors while on the Company property, and/or reporting to work or attempting to work while under the influence of illegal drugs or unauthorized legal drugs is prohibited.

Each job applicant and employee will be subject to the following drug and alcohol testing as appropriate: pre-employment, reasonable suspicion, routine fitness-for-duty testing and follow-up pursuant to the Company's policy. Job applicants who receive a positive, confirmed test result will be rejected for employment. Employees who receive a positive, confirmed test result will be terminated.

No employee shall refuse to submit to a pre-employment controlled substance test, a post-accident alcohol or controlled substance test, a random alcohol or controlled substances test, a reasonable suspicion alcohol or controlled substance test, a return-to-duty alcohol or controlled substances test, or a follow-up alcohol or controlled substance test. Refusal to submit to a required alcohol or controlled substance test will result in termination.

Entering Company premises means you recognize the right of ECM, or its authorized representatives, at any time without notice, to search equipment, desks, your personal items, your personal vehicle, and/or require you to submit to a drug/alcohol test when you enter, occupy or depart the Company premises, if a member of management has a reasonable, good faith, and objective suspicion that you are under the influence of drugs or alcohol or if your position involves public safety or the safety of others.

No search, inspection and/or drug/alcohol test will be conducted without your written consent. If you refuse to submit to a search, inspection and/or drug/alcohol test, your employment may be terminated.

You may be required to submit to a search, inspection and/or alcohol/drug test under, but not limited to, the following conditions:

- If a member of management has a reasonable, good faith and objective suspicion that you are under the influence or in possession of prohibited drug/alcohol items;
- When any workplace accident or injury occurs;
- When you are found to be in possession of items including, but not limited to, prohibited illegal drug/alcohol items or when these items are found in an area you control or use;
- As part of a random drug/alcohol test (conducted according to applicable state law).



Reasonable suspicion is suspicion based upon your behavior that indicates you may be under the influence of drugs or alcohol. Such behaviors include, but are not limited to:

- Significant deterioration in job performance;
- Significant change in personality (e.g., insubordination, repeated abusive behavior, incoherent speech, extreme anxiety, etc.);
- Unexplained absences from the normal work area when there is reason to suspect drug-related activity in violation of this policy;
- Employee/customer reports that you have been using drugs or alcohol in violation of this policy;
- Slurred speech, unsteady gait, and/or glassy eyes;
- Possessing a distinctive alcohol odor.

Prohibited drug and alcohol items include, but are not limited to:

- Illegal drugs, unauthorized controlled substances, illegal inhalants, designer and synthetic drugs;
- Alcoholic beverages;
- Drug paraphernalia;
- Prescription drugs not written specifically for you or used for reasons other than their intended purpose.

If you are found to have used, manufactured, possessed, sold, concealed, promoted, distributed, received and/or transported Prohibited drug/alcohol items on Company premises or while on Company business, your employment may be terminated and ECM may refer the situation to proper law enforcement authorities.

Under the Influence means using alcohol, illegal drugs, unauthorized controlled substances, illegal inhalants, designer and/or synthetic drugs on the job or reporting to work after having used them.

If you have a confirmed positive drug/alcohol test result, your ECM employment will be terminated. If you test positive for drugs/alcohol, you have the right to appeal the results and request that a retest be conducted.

If you want to appeal a positive drug/alcohol test, you must make your appeal in writing to Human Resources within 24 hours of receiving the results. If you test negative for drugs/alcohol, you will receive a confirming memo that will be placed in your confidential personnel file.

If you are legally using a prescription drug or over-the-counter medication that produces hazardous side effects while working, the Company reserves the right to redirect your work activity and, in some instances, send you home.

If you are convicted of a crime involving the manufacture, use, sale or possession of drugs or other controlled substances, you must notify ECM in writing within five business days of the conviction. Failure to do so will result in corrective action, up to and including termination of employment. Once convicted, you are no longer eligible for employment with ECM, and employment will be terminated. Federal and state agencies will be notified as appropriate. Providing proper notice to ECM may result in your suspension without pay to allow management to review the nature of the charges and your past record with the company.



ECM encourages you to voluntarily seek help if you may have an alcohol and/or illegal drug problem. Treatment may be covered by your benefits plan, but ultimate financial responsibility for treatment belongs to you.

All information relating to drug or alcohol testing or the identification of an employee as a user of illegal drugs and/or alcohol will be protected by ECM unless required by law or overriding public health and safety concerns, or authorized in writing by the employee in question.

Traffic Control Employees and Water Truck Drivers (all CDL drivers) must abide by the policy outlined in this Employee Handbook in regards to drug and alcohol policies. Traffic Control Employees and Water Truck Drivers must report to their immediate supervisor or Human Resources any pending or actual conviction(s) after the employee's hire date. If not reported, the employee will be subject to corrective action, up to and including termination of employment.

Smoking Policy

ECM maintains a smoke and tobacco free office. No smoking or other use of tobacco products is permitted in any part of the building or in vehicles owned, leased, or rented by ECM. Employees may smoke outside in designated areas during breaks. When smoking or otherwise using tobacco products outside, do not leave cigarette butts or other traces of litter or tobacco use on the ground or anywhere else. Dispose of any litter properly in the receptacles provided for that purpose.

Please remember to conform to the smoking or tobacco use policies of our customers when working on a customer's site.

All employees are expected to abide by this policy in all respects while at work, whether on company premises, at a customer's site, or while in transit between work locations in an ECM vehicle, whether owned, leased or rented. Being permitted to use tobacco products during breaks is a privilege, as long as such use does not interfere with the employee's work.

This policy is strictly enforced and employees who violate the policy will be subject to corrective action, up to and including termination of employment.

Media, Public Relations & Internet Access

In order to support ECM's marketing and branding activities, it is important that all outgoing communication is accurate, consistent and closely aligned with core Company messages. You should not contact, or respond to, media (i.e., newspapers, television stations, radio stations, magazines, or other periodicals) on behalf of ECM without prior authorization from the Chief Executive Officer. If you are approached by the media, it is your responsibility to state that Company policy requires you to refer all media inquiries to ECM's Chief Executive Officer. This policy does not prohibit employees from engaging in activities and/or conduct that are considered to be protected concerted activity under Section 7 of the National Labor Relations Act.

This policy covers all media inquiries and speaker requests from any print, broadcast, web-based or tradeshow outlet at the local, national or international level. It also applies to prior relationships that you may have with members of the media.

The Chief Executive Officer will take responsibility for all responses and placement of any media opportunities.



As a representative of the Company, even when you are not on the clock, employees are to use social media *responsibly*. Should you have an issue or complaint about the Company, bring it to your direct manager, not a social networking site. Poor social media decisions will result in disciplinary action, and potentially termination.

Responsible Electronic System Use

Some company equipment including, but not limited to, computers, printers, copy machines, fax machines and scanners are to be used for business purposes only.

ECM provides some combination of individual Internet and intranet access, email, telephone and voicemail to you for authorized business-related purposes.

You must identify yourself honestly, accurately and completely when using the Internet, intranet and email for ECM-related business purposes. Any software, files, or other information downloaded, installed or stored in ECM's networks or computers must be used consistent with applicable licenses or copyrights.

Your network user name and password will allow you into ECM's internal network. The user name and password are required for you to perform the functions of your position.

Any material viewed, transmitted, created, or stored on ECM's computers or networks, the Internet, intranet or email must not violate any Company policy. Prohibited actions include but are not limited to:

- Communicating, releasing, or transmitting ECM's proprietary, confidential information (e.g. customer lists, trade secrets, business reports, strategies, systems, processes, products, know-how and technology)), unless authorized to do so by ECM management;
- Accessing, or attempting to access, information to which you are not entitled;
- Infringing or misappropriating the copyright, patent and/or trademark rights of another;
- Violating local, state or federal laws, regulations or rules;
- Transmitting libelous, harassing or threatening communications;
- Unauthorized Internet-based communications on behalf of ECM;
- Publishing or participating in Internet blogs regarding ECM or its clients without identifying yourself as an ECM employee and making it clear that you are not speaking on behalf of ECM;
- Displaying, transmitting, forwarding, viewing, archiving, or storing any message or graphic which is reasonably determined to be offensive, inappropriate, harassing, threatening, discriminatory, sexually explicit, pornographic or obscene;
- Downloading and storing of digital media (ex. MP3's) on network drives;
- Creating, propagating or forwarding any program intended for harmful purposes, removing, disabling or overloading any computer system or network, or circumventing a control or security system.
- Developing or distributing applications or code for use within ECM without explicit written authorization from Management;



- Using, downloading or having installed onto your computer hacker/cracker programs or encryption devices/software, without the prior written consent of Management;
- Using systems to conduct outside or personal business activities and/or to interrupt/interfere with your work and/or to be disruptive to the work environment;
- Sending large amounts of files or large files via email (e.g. jokes, chain mail, spamming);
- Using, installing or downloading any non-ECM or unauthorized software.

If you accidentally become connected to an Internet or intranet site containing material that violates Company policy (e.g. pornographic/explicit or offensive material, confidential material that you are not authorized to access, etc.), you should disconnect from the site immediately and inform your immediate supervisor.

Company Monitoring, Inspection and Control

For business and legal reasons, ECM reserves the right to monitor, audit, intercept, access the usage and inspect all information received, contained or transmitted on its telephones, computers, networks and systems.

You have no right to privacy in connection with the transmission, receipt or storage of information using ECM telephones, computers, networks and systems. Therefore, ECM may inspect your files, data, and/or messages, electronically scan your email and identify Internet sites viewed by you. This monitoring and inspection includes, but is not limited to, inspection and copying of files contained on any personal computer or other electronic device which is utilized by you to conduct ECM business or to access ECM networks and systems. You further agree to make such personal computer or other electronic device available to ECM for inspection and copying as appropriate.

During the course of activities related to ECM employment, you will not engage in unauthorized recording, monitoring, or otherwise intercepting of oral or wire communications of any other person through the use of any electronic, mechanical, or other device, nor engage in unauthorized listening in on a telephone conversation, nor direct another to do so, unless all parties involved in the communication consent to such interception.

Violation of this Policy

In all circumstances, use of Internet access and email systems must be consistent with the law and Company policies. Violation of this policy is a serious offense and, subject to the requirements of law, may result in a range of sanctions from restriction of access to electronic communication facilities to disciplinary action, including dismissal. If laws are violated, law enforcement will be notified and given authority to take the appropriate action based on the violation.



Vehicle Use Policy

The company provides vehicles for business use to allow employees to drive on Company designated business according to the guidelines below. The company retains the right to amend or terminate this policy at any time.

1. Employees may not drive any business vehicles without prior approval of their Supervisor. Periodically, each supervisor should check the Employee's driving record, and verify the existence of a valid driver's license. Motor Vehicle Records will be obtained on all drivers. A driving record that fails to meet the criteria stated in this policy or is considered to be in violation of the intent of this policy will result in a loss of the privilege of driving a company vehicle or result in disciplinary action up to and including termination of employment.
2. Employees holding jobs requiring regular driving for business as an essential job function must, as a condition of employment, be able to meet the driver approval standards of this policy at all times.
3. Employees who need transportation in the course of their normal work may be assigned a company vehicle for their use. As a last alternative, when no company vehicles are available, employees may use their own vehicles for business purposes with prior approval of their supervisor.
4. Employees who drive a vehicle on company business must, in addition to meeting the approval requirements above, exercise due diligence to drive safely and to maintain the security of the vehicle and its contents.
5. Employees are responsible for any driving infractions or fines as a result of their driving.
6. Non-employees and non-business passengers (i.e., family and friends) are prohibited from riding in company vehicles.
7. Employees who use their personal vehicles for approved business purposes should obtain auto liability coverage for bodily injury and property damage with a special endorsement for business use, when necessary as determined by their personal insurance agent.
8. All accidents in company vehicles, regardless of severity, must be reported to your supervisor. Accidents are to be reported immediately (from the scene, during the same day, or as soon as possible if immediate or same day reporting is not possible). Failing to stop after an accident and/or failure to report an accident may result in disciplinary actions, up to and including termination of employment. Employees are expected to cooperate fully with authorities and should make no voluntary statement other than in reply to questions of investigating officers.
9. Employees who are on call on a 24-hour basis may be allowed to take a company vehicle home so they can respond as soon as possible. Such employees need to provide a written acknowledgment that they fully understand that the vehicle is used only as part of emergency response and not for personal use.
10. Employees are not permitted, under any circumstances, to operate a company vehicle or a personal vehicle for company business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any company vehicle at any time or operate any personal vehicle while on company business while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive.
11. All company vehicles are to remain CLEAN and free of trash and clutter.
12. The use of tobacco products are prohibited inside the vehicles.



13. The vehicles are to stay within their respective districts or regions to which they are registered (certain circumstances may allow movement at the manager's discretion).
14. All moving violations resulting in a citation (whether on duty or off duty) and inspections issued by law enforcement officers must be reported and submitted to the Safety Department or Human Resources within 5 days of the date of citation or inspection.
15. All drivers and passengers operating or riding in a company vehicle **MUST PROPERLY** wear seat belts at all times, even if air bags are available.
16. Head lights must be on at all times while driving. All State and Local laws must be obeyed.
17. Drivers are responsible for the security of company vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
18. Reimbursement for business-related tolls- If a route requires an employee to drive on a toll road, the employee **MUST** pay for the business-related toll charge while driving an ECM Company Vehicle. The employee will be reimbursed for the toll as a miscellaneous incidental travel expense. The employee should immediately notify their supervisor of the toll charge, the supervisor will assist them with the expense report for reimbursement. If the employee does not pay the toll charge and incurs a fee, the employee will be responsible for the fees charged to the company.

Driver Safety Rules

The use of a company vehicle while under the influence of intoxicants and other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment.

Drivers need to be aware use of a cell phone is creating a distraction from safe driving and must adjust their usage accordingly, including pulling off the road to continue/finish the conversation if needed. Refer to our Cell Phone Use policy for further guidance. While driving, attention to the road and safety should always take precedence over conducting business over the phone.

No driver shall operate a company vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.

All drivers and passengers operating or riding in a company vehicle **MUST PROPERLY** wear seat belts at all times, even if air bags are available.

No unauthorized personnel/passengers are allowed to ride in company vehicles.

Drivers are responsible for the security of company vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.

Head lights must be on at all times while driving. All State and Local laws must be obeyed.



Defensive Driving Guidelines

Drivers are required to maintain a safe following distance at all times. Drivers should keep a four second interval between their vehicle and the vehicle immediately ahead. During slippery road conditions, the following distance should be increased to at least six seconds.

Drivers must yield the right of way at all traffic control signals and signs requiring them to do so. Drivers should also be prepared to yield for safety's sake at any time. Pedestrians and bicycles in the roadway always have the right of way.

Drivers must honor posted speed limits. In adverse driving conditions, reduce speed to a safe operating speed that is consistent with the conditions of the road, weather, lighting, and volume of traffic. Tire can hydroplane on wet pavement at speeds as low as 40 mph.

Radar Detectors are strictly prohibited in company vehicles. Drivers are to drive at the speed of traffic but never to exceed the posted speed limit.

Turn signals must be used to show where you are heading; while going into traffic and before every turn or lane change.

When passing or changing lanes, view the entire vehicle in your rearview mirror before pulling back into that lane.

Be alert of other vehicles, pedestrians, and bicyclists when approaching intersections. Never speed through an intersection on a caution light. When the traffic light turns green, look both ways for oncoming traffic before proceeding.

When waiting to make left turns, keep your wheels facing straight ahead. If rear-ended, you will not be pushed into the lane of oncoming traffic.

When stopping behind another vehicle, leave enough space so you can see the rear wheels of the car in front. This allows room to go around the vehicle if necessary, and may prevent you from being pushed into the car in front of you if you are rear-ended.

When parking, do not drive in to parking stall, back into parking stall. Do not back around a corner or into an area of no visibility.

Accident Procedures

In an attempt to minimize the results of an accident, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately.

Call 911- Police **MUST** be at called to every accident.

All accidents, regardless of severity, must be reported to your supervisor immediately. If the driver cannot get to a phone, he should write a note giving location to a reliable appearing motorist and ask him to notify the police and your supervisor.

Record names and addresses of driver, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene.



Complete the form located in the Vehicle Accident Packet. Pertinent information to obtain includes: license number of other drivers; insurance company names and policy numbers of other vehicles; make, model, and year of other vehicles; date and time of accident; and overall road and weather conditions.

Do not discuss the accident with anyone at the scene except your supervisor, safety Manager, or the police if they are called to the scene. Do not accept responsibility for the accident. Don't argue with anyone.

Provide the other party with your name, address, driver's license number, and insurance information.

Immediately report the accident to your supervisor. Provide a copy of the accident report and/or your written description of the accident ASAP.

There will be a formal accident review conducted on each accident to determine the cause and how the accident could have been prevented.

General Rules & Regulations

An employee to whom a vehicle is assigned shall be fully responsible for the general maintenance and proper care of the vehicle.

The vehicle color, factory options, and equipment are standardized and shall not be altered, except as authorized by company.

It is the responsibility of the assigned driver to inform your supervisor of any vehicle maintenance needs or safety problems.

Employees shall drive vehicles with reasonable prudence to conserve fuel and sustain them at the highest operating efficiency.

Employees will be held accountable for maintaining proper fluid levels and tire air pressure. Present the vehicle for repair, service, or adjustment whenever such is needed, and preventative maintenance when time is due.

Vehicles provided by the company are provided to eligible employees to enable them to efficiently perform their job functions for the employer. They are not intended to be fringe benefit items.

No employee assigned a vehicle will be allowed in anyway the use of a company vehicle and/or fuel credit card for their personal use or gain.

Assigned company fuel credit cards are to be used for gas only and for the assigned vehicle only. Employees are to use the self-service fuel island and to use regular unleaded gas only, unless otherwise specified.

Fuel receipts must contain the following information before signing the receipt: the correct date, gallons, price per gallon, total price, and mileage at the time the vehicle is refueled.

End of the month mileage **MUST** be calling in on the 1st of each month. The mileage report is to be in the fleet office no later than the 5th of each month. If the employee has scheduled a vacation at the end of the month or will be out on medical leave, his/her mileage **MUST** be mailed out prior to his/her vacation or medical leave.

Copies of the Vehicle Registration, a Copy of the Insurance Card, and a Vehicle Accident Report Packet must be kept in the vehicle at all times.



Vehicle Maintenance

Proper vehicle maintenance is a basic element of any fleet safety program, not only to ensure a safe, road worthy vehicle, but also to avoid costly repair expenses and unexpected breakdowns.

Routine inspections or safety checks of critical items, such as brakes, lights, tires, wipers, etc., must be done daily.

Oil changes due every 5,000 miles for diesel and gas vehicles. Tire rotations are due every other oil change.

Every 30,000 miles, vehicles should have a tune-up, transmission service, cooling system service, brake service, AC service, ETC.

The vehicle must be cleaned (interior and exterior) regularly to help maintain its good appearance for you and the company. A clean vehicle makes a good impression on customers.

All maintenance performed for the month must be listed on the mileage reports.

Credit Use Policy

The ability to use credit for business related purchases is essential to our ability to get things done in a timely manner. The purpose of this policy is to ensure the proper use and accounting for business related purchases. This policy will cover company credit cards, the use of personal credit cards for business related purchases and company fuel cards.

Company Credit Card Use

Several ECM employees use a company issued credit card as part of their day to day position responsibilities. The following guidelines have been established for proper use of company credit cards and must be followed by all users of company credit cards:

- Company credit cards are to be used for business related purchases only.
- Receipts must be kept for all purchases along with an approved Purchase Order (if applicable).
- Receipts, Purchase Order's and detailed expense reports are to be completed and approved by your supervisor and forwarded to the Accounts Payable Department weekly. Failure to complete and submit an approved expense report with related receipts on a timely basis may result in forfeiture of the individual's company credit card.
- Under no circumstances should an existing Accounts Payable invoice be paid by a company credit card.
- Meal purchases must only be made when someone is traveling out of town for business or for group meetings which include a meal and should not exceed \$30 per day, per person without prior approval. When in a group, meal purchases must be made by the most senior employee present.
- Misuse of company credit cards is considered a violation of company policy and may result in corrective action, up to and including termination.
- In the event a card is damaged or lost, you must notify your supervisor immediately.



Personal Credit Card Use

Those ECM employees who do not have a company credit card but make purchases on behalf of the company will do so on their personal credit card and must complete a timely Expense Report for reimbursement. The following guidelines have been established for proper use of personal credit cards for business use:

- Purchases must be for business related purposes only.
- Receipts must be kept for every purchase.
- Receipts and detailed expense reports are to be completed and approved by your supervisor and forwarded to the Accounts Payable Department weekly. Failure to complete and submit
- an approved expense report with related receipts on a timely basis may result in forfeiture of the individual's ability to make and be reimbursed for business related purchases.
- Existing invoices should not be paid using a personal credit card unless it has been approved in advance by the CFO.
- Meal purchases must only be made when someone is traveling out of town for business or for group meetings which include a meal and should not exceed \$30 per day, per person without prior approval. Meal purchases must be made by the most senior employee present.
- Submitting an expense report for a non-business related purchase is considered a violation of company policy and may result in corrective action, up to and including termination.

Company Fuel Card Use

Company fuel cards will be assigned specifically to each company vehicle and fuel purchases must be tracked using the Fuel Tracking Report found in each company vehicle. Fuel cards must only be used for the company vehicle for which they have been assigned. Fuel Tracking Reports must be sent to the Corporate Accounts Payable Department on the final day of each month.

- Fuel must only be purchased for company vehicles which are used for company business.
- Using company fuel cards for non-business related fuel purchases is considered a violation of company policy and may result in corrective action, up to and including termination.
- In the event a card is damaged or lost, you must notify your supervisor immediately.



Cell Phone Usage Policy

This policy is applicable to any person operating any motor vehicle (trucks, cars, etc.) under the control and direction of ECM. This prohibition of cell/smart phone or similar device use while driving includes but is not limited to receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose while operating a commercial motor vehicle under our control. This means any usage for the benefit of our customers; our vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the company; or any other company related activities not named here while actively operating a motor vehicle. You may not use your cellular phone or similar device to receive or place calls, text messages, surf the Internet, check phone messages, or receive or respond to email while driving if you are in any way doing activities that are related to your work with, for on behalf of ECM.

You are permitted to use a mobile device ONLY FOR COMPANY BUSINESS – NO PERSONAL CALLS as long as you make sure the mobile telephone is within close enough proximity that it is operable while the driver is restrained by properly installed and adjusted seat belts. The FMCSA can fine a driver \$2,750 and a company \$11,000 for violation of the Mobile Phone Restrictions Regulation. This regulation states you must:

- Use an earpiece or the speaker phone function.
- Use voice-activated dialing.
- Use the hands-free feature.

To comply, a driver must have his or her mobile telephone located where he or she is able to initiate, answer, or terminate a call by touching a single button. The driver must be in the seated driving position and properly restrained by a seat belt. Drivers are not in compliance if they unsafely reach for a mobile phone, even if they intend to use the hands-free function

We recognize that other distractions occur during driving, however curbing the use of cell /smart phones, while driving, is one way to minimize the risk of accidents. Therefore, you are encouraged to stop your vehicle in a safe location so that you can safely use your cell phone or similar device. Using a cellphone or similar device while driving an ECM controlled vehicle in violation of this policy is strictly prohibited. Any person employed by ECM who violates this policy will be subject to disciplinary actions, up to and including termination of or the exclusion of the driver involved from performing any work for ECM that involves driving.

Driver shall be immediately terminated if an accident of any kind occurs and it was proven the driver was using his/her cell/smart phone at the time of the accident in violation of this policy.



Company Property Deduction Authorization Agreement

As an employee of ECM Energy Services, I hereby authorize, when applicable, deductions be made from my paycheck for loss, theft, damage, destruction, or improper and/or unauthorized use of company funds or company-issued equipment (Including but not limited to) Infrared Thermometers, Gas Monitors, Radios, FRs, iPads, company credit cards, company vehicles, cell phones, and computers.

If at any time I resign, leave or my employment is terminated by ECM Energy Services, I understand and agree that I will be responsible for any outstanding balances for equipment if it is not returned immediately, which will become payable in full immediately. All returned equipment should go to the appropriate district' Operations Manager. They will inform HR/payroll to deduct the total amount of unreturned equipment from my final paycheck

In the event that a hotel room is provided to me by ECM; I hereby authorize, when applicable, deductions be made from my paycheck for all hotel damages and costs (Including but not limited to) laundry services, smoking fines, and any additional costs incurred during my hotel stay.

I understand that if at any time (within my 90-day probationary period) I resign, leave or my employment is terminated by ECM Energy Services that I will be responsible for repaying ECM Energy Services the full amount up to (\$450) for pre-employment screening and training reimbursement (Including but not limited to) background check, MVR, drug test, fit tests, Safeland Training Course, Smith Driver Training Course, and any costs associated with pre-employment screening or pre-employment training, which will become payable in full immediately. In addition, I hereby authorize, when applicable, deductions be made from my paycheck for errors on my paycheck, wage overpayments and any other work related deductions. If at any time I resign, leave or my employment is terminated by ECM Energy Services, I understand and agree that I will be responsible for any outstanding balances, which will become payable in full immediately. I further understand that any amount owed to ECM Energy Services at the time of separation will be deducted from my final paycheck.

Close

At ECM, our people are the most important asset that we have and we look forward to you having a long and successful career with us. We hope that you have found the information contained within this Employee Handbook to be beneficial in helping you to successfully navigate your career with ECM. If you should have any questions regarding anything that is contained within this handbook, please do not hesitate to discuss it with your supervisor or to contact Human Resources.