



CF Breeze Family of Companies

**EMPLOYEE
HANDBOOK**

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This is your Handbook. Read it thoroughly. It is your responsibility to review it periodically and contact your Supervisor with any questions. This is not a contract for employment but rather a guide to ensure fair and consistent treatment of all employees.

Introduction

The Company has a zero-tolerance policy for violence. All employee conduct must strictly conform to the Company's zero tolerance policy. Failure to conform to the Company's zero tolerance policy will result in termination.

This Handbook is written in conjunction with the terms set forth in each employee's Application for employment with CF BREEZE, and/or each employee's Employment Agreement with CF BREEZE. In the event of any conflict between the language of an employee's Application or Agreement and the language of this Handbook, the language of the employment Application and/or Employment Agreement shall be controlling.

What to Expect from CF Breeze

CF Breeze believes in providing a quality environment for both our customers and employees. In this belief, we can be successful and grow as a company together.

What CF Breeze Expects from You

CF Breeze Recovery expects our employees to be respectful to both employees and customers alike. We expect all employees to perform pertinent tasks with honesty and to the best of one's ability.

Pertinent Definitions

COMPANY PREMISES DEFINED

The term "Company Premises" (for purposes of this Policy only) is defined as any real property, facilities, buildings, or installations which are owned, used, or leased by the Company or a customer of the Company or upon which the Company is performing work or conducting operations. The term "Company Premises" also includes any boats, aircraft, automobiles, equipment, trucks, and all other vehicles or transportation owned, used, or leased by the Company or its customers or by an employee of the Company during an employee's work for the Company, regardless of location. The term "Company Premises" also includes any housing facilities provided by the Company for the use of its employees.

POLICIES AND PROCEDURES

General Policies & Procedures

BUSINESS ETHICS

The Company expects all employees to work and cooperate for the benefit of the Company. The Company, its employees and its agents shall comply with all applicable legal requirements and adhere to the highest ethical standards of the United States and each country in which business is conducted. It is the policy of the Company to abide by all federal and local laws.

The Company has developed certain business policies concerning daily activities. These policies govern the people and operations within the Company's organization and assist all company personnel in knowing and complying with Company-approved business ethics in their daily work activities. These policies apply to all work, company operations, and dealings with clients. Effectively implemented and adhered to, these policies will ensure ethical and efficient operational procedures. Management and Supervisors are responsible for the daily implementation of these policies. All employees are responsible for understanding these policies and conducting all work-related activities as per these guidelines.

The use of Company assets for any unlawful or improper purpose is strictly forbidden. No undisclosed or unrecorded fund or asset of the Company shall be established for any purpose. No false or misleading articles shall be made in books and records of the Company for any reason, and no employee shall engage in any arrangement that results in a prohibited act. No payment on behalf of the Company shall be approved without adequate supporting documentation. No payment shall be made with the intention or understanding that any part of such payment is to be used for any purpose other than that described by the documents supporting the payment. Compliance with generally accepted accounting rules and established internal control is always required.

No employee shall have any position with, or a substantial financial interest in any other business enterprise which might conflict or appear to conflict with his/her duties, responsibilities, and/or judgment.

The Company does not attempt to regulate the activities of employees in their off-duty hours. However, employees should not, under any circumstances, engage in a business that is competitive with or contrary to any activity or interest of the Company. It is expected that each employee will conduct themselves as a responsible member of his/her community. Any conduct harmful to the Company's image or interest may be grounds for termination.

GRATUITIES POLICY

Each employee should avoid the receipt of payments, gifts, entertainment, or other favors which go beyond common courtesy usually associated with business practices and might be regarded as placing the employee under some obligation to a third party dealing with or desiring to deal with the Company. The acceptance of hospitalities, business courtesies, gifts, gratuities, or favors from parties with whom the Company does business, no matter how innocent in appearance, could become a source of embarrassment to the employee. There may be times when acceptance of the same may serve the best interests of the Company. It is the employee's responsibility to report to his/her supervisor any such hospitality extended.

ENTERTAINMENT

Entertainment is defined in this Company as any outing with a client and is left to the discretion of the office and field management personnel. Prior approval must be obtained for unusual or expensive entertaining.

INVENTION AND CONFIDENTIALITY POLICY

Any employee who might reasonably be expected to make inventions, discoveries, designs, or improvements during his/her assigned duties as an employee, or might have access to confidential and/or proprietary information of the Company, must adhere to these requirements:

- Employee may NOT, at any time, either during or after employment, disclose or assign to others, or use, except on behalf of the Company and as required by assigned duties, any invention, discovery, improvement, design, or proprietary information of the Company (regardless of being developed by the employee) without the Company President's written consent.
- Employee should disclose promptly in writing to the Company President all inventions, discoveries, designs, or improvements made by him/her solely or in collaboration with others and which relate to the business interests of the Company.
- Employee must assign to the Company all rights to, title of, and interest in any such invention, discovery, design, or improvement, if requested by the Company, and assist and fully cooperate with the Company in securing and enforcing patents in the name of the Company or Company's nominee.
- Employee may NOT at any time work on inventions, discoveries, designs, or improvements during working hours and/or use Company facilities or equipment without the Company President's prior written consent.
- The Company, at its sole discretion, determines whether to seek patents on inventions, discoveries, designs, or improvements made by employees; and its failure to patent, to pursue a patent application, or to request assignment for such invention, discovery, design, or improvement, is not to be construed as a waiver of any of its property rights of same.
- The cost of patenting any invention, discovery, design, or improvement that is undertaken by the Company is borne by the Company.

- Any additional compensation or remuneration to an employee for the development or discovery of an invention, design, or improvement, whether patented or not, is at the discretion of the Company.

All confidential and proprietary information is the property of the Company.

EMPLOYMENT

Employment Categories

Employees are divided into the following categories for the purpose of compensation and benefits.

- ***REGULAR FULL-TIME SALARIED***
Employees hired salaried and full time (40 hours or more) on a full work-week basis for a continuous and indefinite period of time are considered regular, full-time, salaried employees for all compensation and benefit purposes.
- ***REGULAR FULL-TIME HOURLY***
Employees whose work schedule is less than full time on a full work-week basis for a continuous and indefinite period of time are considered regular full-time hourly employees for all compensation and benefit purposes. Regular full-time hourly employees may be eligible for some benefits offered by the Company.
- ***REGULAR PART-TIME***
Employees whose work schedule is less than full time (less than 40 hours) on a full work week basis for a continuous and indefinite period are considered regular, part-time employees for all compensation and benefit purposes. Regular hourly or part-time employees may be eligible for some benefits offered by the Company.
- ***TEMPORARY***
Employees hired for specific jobs or for short periods of employment such as summer months, peak periods, and vacations are considered temporary employees. Temporary employees are not eligible for benefits regardless of the number of hours or weeks worked.

Equal Employment Opportunity Policy

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy and belief of the Company that each of its employees should be able to work in an environment free of discrimination based on race, creed, color, religion, age, sex, pregnancy, national origin, handicap, disability, marital status or other protected category.

The Company's policy is to make all employment decisions based on qualifications and ability. Our policy is to afford equal opportunity to all, to discriminate against none, and to promote equal employment and advancement opportunity.

It is the responsibility of every employee to assist in the furtherance of this policy.
Discrimination will not be tolerated at the Company

Employment of Relatives

The Company permits the employment of qualified relatives of employees if such employment does not, in the opinion of the Company, create any conflicts of interest. The Company may exercise its discretion in keeping with the principles of sound business judgment when placing related employees.

Employee Records

Personnel records are the property of the Company. Any changes such as name, address, telephone, emergency contact information, marital status, legal dependent changes, beneficiary designation changes and tax withholding changes to one's personal information must be promptly reported to the Company's Human Resources Dept. Requests for copies of one's personnel file must be accompanied by an official legal subpoena.

Immigration & Employment Eligibility

The Company adheres to all laws requiring the employment of only United States citizens and aliens who are authorized to work in the United States. The Company follows all local, and federal regulations regarding eligibility for employment and will not unlawfully discriminate based on citizenship or national origin.

The Immigration Reform and Control Act of 1986 requires each new employee to complete the Employment Eligibility Verification Form I-9 and to provide documentation (such as a social security card, driver's license or "green card") to establish identity and employment eligibility. If an employee is rehired, he/she will need to complete a new I-9 form (if one hasn't been completed within the past three years, or if the employee's previous I-9 is no longer valid or on file)

Americans With Disabilities Act (ADA)

The Americans with Disabilities Act of 1990, as amended, protects qualified applicants and employees with disabilities or perceived disabilities from discrimination in hiring and all other personnel practices. Company policy complies with the provisions outlined in this law. To file a complaint or to report harassment or discriminatory conduct, employees are required to contact the Human Resources Representative or the President of the Company. Any employee found to have violated this policy shall be subject to disciplinary action, up to and including termination.

Employees with a disability who have a medical need for a reasonable accommodation to perform the essential functions of their job should contact the Company HR Representative. The Company will then enter an interactive process with the employee to determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the Company's financial resources and organization, and the accommodations impact on the operation of the Company and the performance of the employee. The Company is not required to reallocate essential job functions, to accommodate to the point of undue hardship, or to provide personal use items such as hearing aids, normal prescription eyeglasses, and wheelchairs.

Reasonable accommodation may also include reassigning a current employee to a vacant position for which the individual is qualified if the person is unable to perform their original job because of a disability even with an accommodation. However, the Company is under no obligation to find a position for an applicant who is not qualified for the position sought, nor is the Company obligated to create positions. The Company is not required to lower quality or quantity standards as an accommodation. When an employee is totally unable to work due to their disability, a reasonable accommodation in this circumstance will be up to one month of unpaid ADA leave. This typically will be limited to one month per calendar year.

TIMEKEEPING & WAGE INFORMATION

Timekeeping and Attendance

1. DAY'S WORK

Assigned work tasks are to be completed on or before the maximum time allowance (found on the rate sheets provided). Any work that exceeds the maximum allotted time for the task will be evaluated by management and the crew will be re-trained and redistributed.

2. HOURS OF WORK

All employees are required to be at their designated work area at starting time and at the end of lunch break and are to continue their assigned tasks until quitting time, apart from

authorized lunch breaks. All hours working on the project are to be recorded on daily completion forms. Only actual working hours are to be included. Lunch breaks, drive time, daily check in procedures are not to be recorded as working hours.

3. MEAL BREAKS

Employees are required to take a lunch break. Employees working 5 or more hours in a day must have a lunch break consisting of at least 30 minutes. Any employees working more than 10 hours in a particular day are permitted to take a second lunch break.

4. RECORDING TIME WORKED

Company issued timesheets may be used to sign in and out of job sites. These timesheets must be time and location stamped. Infractions of this rule will be treated with immediate and appropriate disciplinary measures.

5. DAY'S WORK; ATTENDANCE & TARDINESS

The Company requires all employees to be present at their work site (with all necessary personal protective equipment and tools) at the start time of their shift. An employee who is unable to report to work as scheduled for any reason must call the appropriate super as soon as he/she is aware of the need to be absent and in no event later than one hour after the start of the shift. The employee shall indicate his/her reason for the absence and the expected length of absence. If the absence extends beyond the anticipated time or date of return, the employee must call the office again and give the reason for the extension and the time or date he/she may be expected to return to work. The Company may require a doctor's certificate at any time it deems appropriate to determine whether the absence should be excused. The employee must notify the safety department if the absence is safety or medical related.

PROCEDURES

(1) An "**absence**" results when an employee fails to report to work as scheduled. For an absence to be excused, the employee must provide a written reason; either a physician's note or other written evidence of the situation which prevented attendance at work is required. If such documentation is not provided or is deemed unacceptable, this will be considered an "unexcused absence". Each day of unexcused absence will be considered one (1) **unexcused absence**.

Although sometimes it cannot be helped, there must also be a limit to the number of “**excused absences**” allowed before action is taken. An “**excused absence**” of one to two consecutive scheduled working days will be considered one (1) “**excused absence**”.

(2) A “**no call/no show**” occurs when an employee fails to report to work for a scheduled shift, **has not contacted the office according to the established guidelines**, and fails to report to work within one (1) hour of the beginning of the shift. The exception to this is if there is an acceptable, verifiable reason for being more than one (1) hour late. If the employee calls to say the employee will be late, and then arrives more than one hour after the beginning of the shift, that will be classified as a “**no call/no show**”.

(3) “**Pattern absenteeism**” occurs where, on more than one occasion, an employee is absent for:

1. the day(s) before or after a scheduled day(s) off
2. holiday periods
3. weekends
4. other reasons constituting abuses of the absenteeism policy

(4) An employee not present at the work site, ready to work at the start of the scheduled shift is considered “**tardy**”. It is the employee’s responsibility to be aware of the scheduled work hours, including temporary changes that may occur.

(5) An “**early out**” is clocking out prior to the end of the scheduled shift. An employee-requested **early out** is not considered to be in the best interest of the Company and will be recorded as an **early out**. Four (4) of this type of **early out** will result in one occurrence.

6. DISCIPLINE TABLE

Breaches of this Attendance Policy shall be called “**occurrences**”. An accumulation of occurrences in any twelve (12) month period will result in disciplinary action based on the following table:

Tardiness	
One Early Out	One occurrence
Excused Absence	One occurrence

Unexcused Absence	Three occurrences
Pattern Absenteeism	Three occurrences
No Call/No Show	Six occurrences

Consequences

A written warning will be issued after three occurrences. After six occurrences an employee will receive a final written warning. After nine occurrences an employee will be terminated.

7. OVERTIME

Overtime is only allowed if approved. Before working any overtime, it must be approved by the appropriate project manager. Any overtime not approved that has been worked WILL NOT be paid.

Overtime is paid only if an employee works over 8 hours in a day OR over 40 hours in a week.

Payroll Information

Deductions for Social Security, Federal Withholding Taxes and local Withholding Taxes are withheld from an employee’s check as required by law. To change Federal or local withholding deductions, one must complete a new deduction form and ensure that the form is received by the Company payroll department. Employees should not make early pay requests.

Employee Pay Classifications - Employees are classified into one of two groups, Exempt or Non-Exempt, based on their work duties. Exempt employees are not paid for overtime work, whereas non-exempt employees are paid at a rate of 1 ½ times their regular hourly rate pursuant to Puerto Rican law. Non-exempt employees are required to record their hours on a timecard for each pay period. It is required that non-exempt employees clock in at the beginning of their scheduled shift and clock out at the end of their shift. Employees are NOT to clock in earlier than their scheduled start time, unless requested to do so by a member of management. Leaving the work premises during duty hours is not permitted without the permission of the supervisor on duty. NO employee is authorized to clock in or out for any other employee. Falsifying timecards is unlawful and is grounds for termination of employment.

Overtime - Employees will be expected to work overtime in case of emergency or whenever necessary in the best interests of the Company. Work beyond an employee’s standard workweek will be authorized by management as overtime, if determined necessary. Non-exempt hourly-paid employees will be paid one and one-half (1 1/2) their regular hourly rate of pay for approved “overtime”, as defined by Puerto Rican law. **Pay for holiday and/or vacation time not actually worked is not considered when computing overtime.**

Mailing Address – The Company utilizes the address of record provided by the employee to issue pay information to the employee. It is the employee’s obligation to notify the Company’s main office, in writing, of any change of address or telephone number. Address and telephone changes must be accompanied by the employee’s signature.

Replacement Check Request – It is Company policy to issue replacement checks only under valid circumstances. The issuance of a replacement check occurs only with management approval. The Company reserves the right to pursue legal action against any employee who cashes an original check for which a replacement check has been issued.

Pay Checks – Weekly paid employees are normally paid on Friday for work performed Wednesday through Tuesday of the previous week. **Funds will typically not be available before 5pm on Thursday.** Checks issued by direct deposit will be available by 5pm on the designated payday. If a regular payday falls on a weekend or holiday, employees will be paid on the preceding or following workday. ***No paychecks will be released to anyone other than the employee without written authorization from the employee.***

Garnishments - When wages are subject to withholding by a court order, for the purposes of child support, etc., the Company is legally bound to withhold the amount indicated in the garnishment order from the employee’s paycheck. Federal and local guidelines protect a certain amount of an employee’s income from being subject to withholding for child support. An employee’s status with the Company will not be affected by the fact that a garnishment exists against his/her wages.

Final Paycheck – The Company will determine if the terminated employee has any outstanding debt owed to the Company and whether the individual has in his/her possession company-owned equipment, manuals, vehicles, ID cards/badges, or other company property.

Time Records – Employees or their supervisors are required to turn in time sheets each Monday for the previous week or at such time as otherwise required by Company Management.

Payroll Deductions – In addition to tax and garnishment withholdings, the Company will or may make payroll deductions for the following: past due taxes, employee's portion of group insurance premiums, employee's portion of group insurance premiums for coverage on eligible dependents, uniforms, damage or destruction of Company property, and any other monies owed to the Company.

BENEFITS

The Company provides employees with a well-balanced program of benefits to meet the needs of employees and provide protection from financial hardship.

Any information contained in this handbook regarding employee benefits is not a contract to provide these benefits to any employee. The eligibility requirements of benefits are described in the summary plan documents and/or benefits booklet. Employees will be advised of the status of their position and their benefit eligibility when they are hired. For a description of benefits that one may be eligible for, the individual benefit summary sheet provided upon hire should be consulted.

Questions concerning benefits and/or insurance claim information should be directed to the Office Manager. **The terms of the benefit plans are subject to change at any time.**

Social Security

Social Security is required by law to be deducted from each employee's paycheck. The company also matches the total Social Security deducted. Your social security number is extremely important in the recording of your earnings. This information must be verified by every employee.

Workers' Compensation

Workers' Compensation provides benefits to those employees that are injured or become ill while working. This service provides payment for wages lost, medical care and even benefits for family members if an employee is killed while working. This service is provided at no cost to you.

Puerto Rico Minimum Wage, Vacation and Sick Leave

Employees who work no less than 20 hours a week, but less than 115 hours per month, will accrue vacation and sick leave at a rate of half a day per month. Employees who work no less than 115 hours per month will accrue vacation leave at a rate of one and one-fourth a day per month and one day a month for sick leave.

Christmas Bonus

Each employee who has worked at least 700 hours during the period from October 1 of any calendar year until September 30 of the subsequent calendar year, is to be paid a bonus amounting to 6% of the total wages paid during that same period computed up to the first \$10,000 earned.

TIME OFF

Maternity Leave

Absence due to pregnancy, childbirth and related medical conditions will be the same as any other non-pregnancy-related sick leave. Medical or Maternity absences that exceed six weeks or 30 working days will be handled at the discretion of management. The status of an employee's position and benefits during and at the conclusion of any such extended maternity absence will be determined by management and communicated to the employee before or at the time the absence is granted.

Military Leave

The Company complies with all relevant local and federal laws concerning military leave obligations. Employees who have military reserve obligations or who are called to active duty should inform the Project Manager and their supervisor as early as possible prior to commencement of the leave. The Uniformed Services Employment and Reemployment Rights Act protects the job rights of individuals who voluntarily or involuntarily leave employment positions to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, and applicants to the uniformed services.

Reemployment Rights – If an employee who left his/her civilian job to perform service in the uniformed services wishes to be reemployed in that civilian job, then that employee may regain previous employment under these conditions:

- The employer receives advance written notice or verbal notice of the employee's service;
- The employee has five years or less of cumulative service in the uniformed services while with this employer;
- The employee returns to work or applies for reemployment in a timely manner after conclusion of service; and
- The employee has not been separated from the uniformed service with a disqualifying discharge or under other than honorable conditions.
- The employee's civilian position with this employer has not been eliminated.

If an employee was hired for a specific term or only to perform work on a specific project, the employer has no obligation to restore the employee if the employment term or project ends while the employee is on leave and the employer would not have otherwise continued to employ the employee.

If one is eligible to be reemployed, he/she must be restored to the job and benefits that would have been attained had there been no absence because of military service or, in some cases, a comparable job.

Health Insurance Protection – If an employee leaves his/her job to perform military service, and that employee and his/her dependents are covered by the employer’s health plan at the time of leaving, the employee has the right to continue existing employer-based health plan coverage for the employee and all dependents for up to 24 months while in the military. Upon return to work, the employee has the right to be reinstated in his/her employer’s health plan, generally without any waiting periods or exclusions (e.g., pre-existing condition exclusions) except for service-connected illnesses or injuries.

Continuation of Health Insurance - If the employee wishes to continue his/her health benefit coverage while on leave, he/she must continue to pay their normal employee contribution for the duration of the leave. For the duration of the family or medical leave, the Company will continue to pay the Company’s portion of the employee’s health insurance premiums if that employee is a participant in the Company health plan at the time that his/her leave commences. Health insurance coverage may cease if the premium payment is more than 30 days late. When an employee does not return to work after completing an approved leave of absence and when the Company has paid any portion of health insurance premiums for coverage during the leave, the employee may be obligated to reimburse the Company for the cost of such health insurance premiums. The only exception to this requirement is when the employee does not return to work after the leave of absence because of circumstances beyond the employee’s control.

The rights listed in this policy may vary depending on the circumstances, military branch, and Puerto Rico specific laws.

Leave of Absence

Returning to Work

Bereavement

Holidays

Jury Duty

Time off for mandatory jury duty or court appearances required as a result of a valid subpoena or court order is excused if proof of duty is verified by the employee’s supervisor and the payroll department. Generally, the Company will pay employees the difference between their normal rate of pay and any jury duty pay received during the first week of jury duty. Should the duty require more than a week off, continued pay difference makeup by the Company will be determined by the employee’s Supervisor and the Company President. Employees are expected to report for work when it does not conflict with court obligations. It is the employee’s responsibility to keep his or her supervisor informed about the amount of time required for jury duty or court appearances. Failure to provide proper documentation of required jury duty or

court appearance will result in absences being counted toward the employee's attendance record.

Documenting Time Off

All time off requests must be approved

GENERAL RULES

Work Rules

As a Company employee, you must be familiar with the following work rules. It is your responsibility to carefully read over each rule, as violation of any of these rules shall be cause for disciplinary action or termination. These rules apply to all Company employees.

1. SUBSTANCE ABUSE

The Company, in accordance with its Drug and Alcohol Abuse Program has the right to request drug/alcohol testing during your employment. You have been provided with a copy of the Company's Drug Free Workplace Policy, and you will be required to observe it as a condition of your employment and continued employment. Failure to observe the Drug Free Workplace Policy, including failure to submit to testing as set forth therein, will be grounds for immediate termination.

2. PARKING

The Company will provide and maintain designated parking facilities. Do not block aisles or access ways when you park. No personal vehicles will be allowed inside a Company Premises without the express written permission of Company management. All persons entering or leaving the premises shall be required to register with security personnel. The Company will not be responsible for damage or theft of personal vehicles or their contents.

9. SECURITY

All vehicles, toolboxes, badges, carry-all boxes, and lunch boxes entering or leaving a Company Premises are subject to inspection. Refusal to allow an inspection will result in termination. Company employees are required to cooperate with and to obey all instructions given to them by security personnel in the employment of a Company client on Company Premises.

10. ISSUING, CARE, & USE OF TOOLS AND EQUIPMENT

Tools and equipment will be issued as needed to employees on a receipt system. The correct use and care of tools and equipment is indicative of the skill and qualification of the craftsmen. Tools and equipment must be properly used and maintained while in your possession. Carelessness and loss cannot be tolerated. All tools and equipment will be inventoried periodically. Employees will be held responsible for lost tools and equipment and will be disciplined accordingly.

Loss, damage or theft of Company tools and equipment must be reported to your immediate supervisor immediately; failure to do so will result in disciplinary action, and the employee will be charged for the cost of the lost, damaged, or stolen tool or equipment. Employees are expected to exercise the proper care and use of materials, tools, and equipment as this is essential to the Company's operations.

11. HAIR LENGTH

All employees must have their hair above the top of a regular shirt or jacket collar. Long hair must either be trimmed or contained by a substantial hairnet. The length or cut of hair must allow proper fit of a safety helmet and respiratory face mask. No beards will be allowed.

12. ELECTRONIC AND COOKING DEVICES

Radios, digital audio players or recorders, cassette players or recorders, compact disc players or recorders, Dictaphones, cellular phones, beepers, pagers, and other electronic audio, recording, or communications devices not authorized by the Company are not allowed on Company Premises. Stoves, coffee pots and other cooking devices are not allowed on Company Premises. Use of cell phones or other electronic devices must be in accordance with Company rules and procedures.

13. HOUSEKEEPING

Good housekeeping is essential to the safe and efficient progress of the job and is the responsibility of each employee.

The Company expects each employee to maintain the area of his or her work in a safe, neat, and orderly manner at all times. Each employee will be required to lock up and/or secure all his or her respective tools and equipment and to clean up his or her work area prior to the suspension of work each day. Employees shall dispose of all waste, rubbish, debris, and garbage daily in the appropriate containers and dumpsters provided at various locations around the jobsite.

Overweighing of floors, scaffolding and catwalks with equipment and debris is to be avoided. Toe boards or curbing is to be installed on all upper floors, scaffolds, and catwalks to prevent debris from falling to levels below. Stairways and passageways are to be kept open and free of obstruction.

14. CONDUCT ON THE JOB

Good conduct and respect for the rights of your fellow employees is essential to a safe work environment and successful Company operation. You alone are responsible for your actions. Irresponsible conduct on your part, including, but not limited to, engaging in the following types of conduct will subject you to immediate disciplinary action, including but not limited to termination:

- a. theft;
- b. tardiness;
- c. poor and/or irregular attendance;
- d. loafing on the job;
- e. violating any Company policies;
- f. leaving work place without supervisor's authorization;
- g. smoking in a restricted area;
- h. damaging Company or co-worker materials, tools and equipment;
- i. engaging in horseplay or disorderly conduct;
- j. insubordination;
- k. gambling;
- l. refusing to accept work assignments;
- m. fighting on or in the vicinity of Company Premises. The term "Company Premises" (for the purposes of this section only) is defined as any real property, facilities, buildings, vessels, or installations which are owned, used, or leased by the Company or a client of the Company or upon which the Company is performing work or conducting operations. The term "Company Premises" also includes any boats, aircraft, automobiles, equipment, trucks and all other vehicles or transportation owned, used, or leased by the Company or its clients, regardless of location. The term "Company Premises" also includes any housing facilities provided by the Company or its clients for the use of its employees, as applicable to the prohibited conduct;
- n. dishonesty or fraud involving the Company or any client of the Company;
- o. sleeping on Company Premises;
- p. failing to use or wear safety equipment;
- q. failing to observe safety, sanitary and medical rules and practices;
- r. failing to observe rules and regulations of a Company client which are applicable to employees of the Company;
- s. failing to work safely;

- t. performing work assignments in a negligent, incompetent, inefficient or substandard manner;
- u. conducting personal business during working hours;
- v. falsifying of Company reports or records, or intentionally giving false information to anyone whose duty it is to make such reports or records;
- w. using profane or threatening language directed towards any supervisor or any other fellow employee or employee of a client of the Company or any contractor working on Company Premises;
- x. assaulting any person on Company Premises, possessing, or using weapons, committing acts of violence, making threats, engaging in harassing or intimidating conduct, or failing to report or to cooperate in the investigation of any such act or conduct;
- y. engaging in insolent or offensive conduct toward a Company client or otherwise injuring the Company's business;
- z. engaging in conduct which leads to the refusal of others to work with the employee;
- aa. engaging in dishonesty;
- bb. disclosing of confidential Company information to unauthorized persons;
- cc. using Company equipment, material and/or supplies for personal matters;
- dd. engaging in conduct away from Company Premises which the Company reasonably believes impairs or interferes with an employee's ability to perform his or her job function.
- ee. assaulting or engaging in any violent or threatening behavior with or against a fellow employee or employee of a Company client or any contractor working on Company Premises regardless of the location.

15. NO SOLICITATION

Employees are prohibited from soliciting and from distributing literature on Company Premises during all working hours, excluding authorized breaks or lunch periods.

16. SAFETY

All personnel employed by the Company shall be required to comply with Federal Occupational Safety and Health Act (OSHA) regulations as well as all safety rules and guidelines established by the Company.

The following safety guidelines are intended only to remind you of basic safety practices and to give you some knowledge of safety requirements to be observed while employed. Please be advised that your failure to comply with designated safety practices will be grounds for disciplinary action, including termination.

- a. Always use the safety equipment that is provided for your protection.

- b. Hard hats, safety glasses, fire retardant clothing, safety shoes, and hearing protection devices will be issued to you at the time of employment. All will be worn as intended and designed upon entering Company Premises. Should you lose them, you will be required to purchase the replacement set.
- c. Goggles or face shields shall be used along with safety glasses when grinding; using air tools; using power tools and/or using hand tools that may cause chipping, sparks, or other eye injury hazards; flange breaking into chemical, or air lines; insulating; all work on live electricity; any area where the client or the Company deems it necessary and appropriate.
- d. Short sleeve shirts, as a minimum, are to be worn by employees at all times. Tank top T-shirts or sleeveless shirts are prohibited. Loose clothing must not be worn near moving machinery or equipment. Clothing shall be suitable for the type of work an individual performs with consideration given to the individual's safety and that of fellow workers.
- e. Personal protective equipment necessary to minimize risk exposure to the hazards of work being done must be utilized wherever hazards capable of causing injury or impairment are encountered.
- f. All tools and equipment must be maintained in good condition.
- g. Only authorized personnel are permitted to operate vehicles and equipment.
- h. No persons are to be transported on equipment that is not designed for passenger transportation. Do not get on or off moving vehicles or equipment. Do not ride in the back of a truck.
- i. Report all hazardous conditions or defective equipment to your supervisor for correction immediately following detection.
- j. Apart from repair or maintenance, no one is to remove, displace, damage, or destroy a safety device furnished for use on any equipment, or interfere with its operation.
- k. Obey warnings on tags and signs as they are posted for the protection of you and your fellow employees.

- l. Plan your work so that it does not present a hazard to other work nearby. Employees working near others must advise them of hazards and take all precautions necessary to prevent accidents.
- m. Work clear of suspended loads. If a load is moved above where you are working, stand aside until it has passed. Do not ride the hook, load, or headache ball.
- n. Do not work on incomplete scaffolds. Toe boards and handrails are required on all platforms.
- o. Ladders shall not be placed on scaffolding to extend reach or height. All ladders shall be tied off and used as design intended. When climbing up or down, always face the ladder and keep both hands free for climbing.
- p. Welding and burning operations shall always be controlled to protect employees, materials, and equipment. Burning permits may be necessary; always check before commencing work.
- q. All electrical tools and extension cords shall be properly grounded and inspected each quarter under the assured grounding program. All handheld tools must be ground fault protected.
- r. Safety meetings will be held weekly. Attendance is mandatory and each employee must sign-in.
- s. Operators are responsible to do daily inspections of their equipment and report deficiencies, repairs needed, and adjustments required, and sign the inspection log.

Additional rules relating to safety practices, will be distributed from time to time by the Company. Employees are required to obey all such safety rules.

SUMMARY

All Company employees must carefully read and understand all the rules prior to the start of their employment with the Company.

Each employee shall be responsible for his/her own actions.

Remember, these work rules are not just a list of rules and regulations; they are a condition of employment.

Failure to follow these rules and any policies and rules of a Company client which are applicable to Company employees can result in disciplinary action up to and including termination. In addition, if an employee is not terminated, his/her first violation of a safety rule will require retraining at the employee's expense and after normal work hours.

WORKPLACE ETIQUETTE

Non Harassment Policy

PREVENTION OF HARASSMENT POLICY

The Company expressly prohibits any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, disability, status as a Vietnam-era or special disabled veteran, or status in any group protected by federal, or local law.

Harassment and intimidation are recognized forms of discrimination and, as such, are forbidden. Any employee who harasses or intimidates another employee, job applicant, vendor, or customer will be subject to disciplinary action up to and including termination.

SEXUAL HARASSMENT

Sexual Harassment is unlawful under Federal and Puerto Rico law. Sexual harassment, one type of prohibited harassment, has been defined as:

Sexual harassment is defined by Puerto Rico law as any unwelcome sexual, advances or requests for sexual favors or any other verbal or physical conduct of a sexual nature when:

1. Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual (i.e., performance appraisal, compensation, advancement) or,
3. The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of conduct prohibited by this policy include but are not limited to:

- offensive comments, jokes, innuendos, and other sexually or racially oriented statements
- unwelcome flirtation, advances, propositions, or physical contact
- offensive comments or displaying cartoons or telling jokes relating to an individual's age, race, gender, color, religion, national origin, disability, or status as a veteran

- the display of sexually suggestive pictures or objects in any workplace location including transmission or display via computer.

Each employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Furthermore, employees are responsible for respecting the rights of co-workers.

OTHER FORMS OF HARASSMENT

Race, Color, Religion, National Origin, Age, Sexual Orientation and Disability Harassment may include unwelcome statements, name-calling, or other verbal or physical conduct based on an employee's race, color religion, nation origin, age, sexual orientation, disability, or other protected category.

For example, harassing conduct may include (but is not limited to):

- The telling of sexual jokes or derogatory descriptions of an individual or group based on their sex, race, religion, national origin, sexual orientation, or disability.
- The display of signs, pictures, cartoons, written statements, or other material of a sexual nature or that denigrates or discriminates against any employee based on their sex, race, religion, national origin, sexual orientation, or disability.
- Habitually touching an employee, repeatedly asking an employee for a date, or discussing sexual experiences or dreams.

Actions or conversations that seem harmless or amusing to some employees may be offensive to others. Actions or conversations that may be common or acceptable away from work may be inappropriate or constitute harassment if they occur on the job.

RESPONSIBILITIES

All employees are responsible for keeping the work environment free of harassment. Any Employee who has experienced harassment or becomes aware of an incident of harassment against another employee must report it to the designated contact representative whose information appears below, their supervisor, or any supervisor, manager, or officer of the Company with whom they feel comfortable who will report the incident to the designated contact representative listed below. When the Company becomes aware that harassment might exist, it is **obligated by law to take prompt and appropriate action**. If there is reasonable suspicion that harassment has occurred, an investigation may take place, even if the alleged victim does not make a formal complaint.

If you feel that you have experienced harassment, report the incident immediately to the designated contact representative below, your supervisor, or any supervisor, manager, or officer of the Company with whom you feel comfortable, who will report the incident to the designated contact representative whose information appears below. All complaints will be promptly and thoroughly investigated. Investigations will include interviews with alleged victim, alleged perpetrator, potential witnesses, and supervisors of key employees involved. Other investigatory methods may be used as appropriate. In some instances, the alleged harasser may be suspended pending completion of the investigation.

Contact Representative for Harassment Complaints
CF RECOVERY LLC
PMB 357 425 CARR STE 1 Dorado, PR 00646-4871
Phone: 787-679-0406

Complaints of harassment and information gathered in the investigation of complaints of harassment will be treated as confidential. However, some disclosure regarding the substance of the complaint and/or the information gathered in the investigation will very likely be necessary to conduct a full and fair investigation.

Further inquiry or report of harassment may be made to the following federal agencies.

U.S. Equal Employment Opportunity Commission
1801 L Street, N.W.
Washington, D.C. 20507
Phone: (202) 663-4900
TTY: (202) 663-4494

HARASSMENT CONSEQUENCES

If the Company determines that harassment has occurred, it will take effective remedial action in accordance with the circumstances. Any employee the Company determined to be responsible for unlawful harassment will be subject to civil liability and appropriate disciplinary action, up to and including termination. Likewise, if the complainant is found to have deliberately falsified allegations against a defendant, the complainant will be subject to civil liability and disciplinary action up to and including termination.

The Company will not retaliate against any Employee for filing a complaint or a witness for participating in an investigation, and will not tolerate or permit retaliation by management,

employees, or co-workers. Retaliation against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment is unlawful. Employees should report any incidents of such retaliation immediately. Additionally, any person found to have committed a retaliatory act may be civilly liable for its violations of the law. However, if, after investigating any complaint of harassment or unlawful discrimination, the Company determines that the complaint is not bona fide or that an employee has provided false information regarding the complaint, disciplinary action, up to and including termination, may be taken against the individual who filed the complaint or who gave the false information.

Contraband Policy

I. PURPOSE OF POLICY

In order to (1) maintain a safe working environment; (2) protect property; and (3) cooperate with Company clients, customers, contractors, and subcontractors in maintaining safe and efficient operations, CF BREEZE RECOVERY LLC, (the "Company") has established this policy regarding contraband, weapons, stolen property, and unauthorized items (referred to herein as the "Policy") on Company Premises.

II. PROHIBITED ACTIVITIES

The use, possession, concealment, transportation, sale or offering the sale of the following items or substances by any individual is prohibited on Company Premises or while on Company business:

1. Firearms, weapons, explosives, and ammunition.
2. Unauthorized items, including stolen property.
3. Illegal drugs.

III. SEARCHES

The Company may at any time and in its sole discretion conduct searches and inspections of employees upon Company Premises, or in employee lockers, baggage, desk, toolboxes, clothing, and vehicles, for the purpose of determining if such employees are in violation of this Policy.

Searches and inspections will be conducted from time to time without prior announcement, at the sole discretion of the Company.

IV. COMPANY POSITION FOR POLICY VIOLATORS

The Company considers violations of this Policy extremely serious matters, and any employee violating this Policy will be subject to immediate discipline up to, and including, termination.

Prohibited items or substances will be turned over to law enforcement authorities when appropriate.

An employee who refuses to submit to a search or inspection (or execute any waiver, release or consent required in connection therewith) will be terminated.

Drug-Free Workplace Policy

The Company is committed to protecting the safety, health, and well-being of our employees and all people who come into contact with our workplace and property, and/or use our services. Recognizing that drug and alcohol abuse pose a direct and significant threat to this goal, we are committed to ensuring a drug-free working environment for all our employees.

The purpose of the Drug-Free Workplace Policy is to provide a drug and alcohol-free workplace. The implementation of this policy will help maintain a work environment that is safe and productive for all employees. Violations of this policy will result in disciplinary action and/or termination.

The Company prohibits the use, possession, sale, manufacture, distribution, or transfer of its premises of any of the following:

- a. Illegal drugs, inhalants used illegally, prescription drugs not used for legitimate medical reasons as prescribed by a physician, or unauthorized alcoholic beverages.

- b. Equipment and paraphernalia related to illegal drug or substance use.

The Company also prohibits the use, sale, possession, distribution, manufacture, or transfer of controlled substances on non-working time. The Company prohibits (i) reporting to work, working, conducting Company business; (ii) being on Company Premises; (iii) or being in a Company-owned or leased vehicle; with illegal drugs in your system, or with a blood alcohol content more than that permitted while operating a motor vehicle under Puerto Rican law, or otherwise while in an impaired condition.

You may maintain prescription drugs and “over-the-counter” medications on Company Premises provided that the drug will not impair your ability to work safely. If you are unsure, or believe your ability may be impaired, contact your supervisor for guidance.

All employees, as a condition of continued employment, have an obligation to cooperate with any Company investigation of a suspected drug-free workplace violation. Failure to

cooperate in any such investigation may result in disciplinary action, up to and including termination.

The Company may conduct searches as part of an investigation at any time. Searches may include, but are not limited to, the following: personal effects such as briefcases, purses, motor vehicles either located on Company Premises or used for Company business, etc., and Company-provided property such as lockers, desks, offices, etc.

Drug and Alcohol Testing

Testing Policy: Because of the importance of the Drug-Free Workplace policy, we may require drug and/or alcohol tests in the following circumstances:

- a. **Reasonable Cause:** Employees who exhibit characteristics of being under the influence of drugs or alcohol.
- b. **Post-Accident:** Employees who are involved in or contributed to an on-the-job incident, regardless of fault, that requires medical treatment or results in property damage.
- c. **Pre-Employment:** The Company will test individuals to whom conditional offer letters have been made. Such testing is a condition of employment

Random Testing: The Company will randomly test employees.

These tests will be performed at a Company designated lab by blood, urinalysis, or breathalyzer. An employee that tests positive may request a second test within 24 hours at his/her own expense.

Refusal to sign the voluntary consent form or refusal to cooperate in a search or provide a blood, breath, urine, saliva, or other sample or a positive test will result in termination.

Company Property and Personal Tools

Property Removal –Removal of the Company’s, client’s, other contractor’s, fellow employee’s, or vendor’s property from the work site for personal use is forbidden. Removal of such property may result in immediate termination and/or legal action.

Property Return – Upon conclusion of employment or work on a specific site, employees are required to return to the Company all Company property that they have in their possession. This includes such items as Company tools, uniforms, cell phones, pagers, computers, and vehicles.

Personal Tools–The Company is not responsible for the loss of or damage to personal tools.

Company-Owned Vehicles

Our company allows specifically designated employees of the Company to operate and use Company-owned vehicles for BUSINESS PURPOSES. No Company vehicle is to be used for any reason other than a Company business project unless prior management approval is granted. When traveling to and from a work location, the most direct travel route must be used to avoid the trip being termed as personal use. Certificate of registration must be carried in all Company-owned vehicles.

Personal Use of a Company Vehicle – It is a benefit and privilege for an employee to be provided with a company vehicle. It is necessary to remember that this is a COMPANY vehicle. There is **NO SMOKING** in the Company vehicle at **ANY TIME**.

All employees who are assigned a Company vehicle should be aware that they will be held personally responsible for any and all accidents/damage that occurs during non-work-related driving. The Company does not provide automobile liability insurance coverage for any accidents, claims, demands, suits, damages, etc. occurring or arising out of the non-work related driving, operation, or use of a personal vehicle or Company vehicle, or for the operation or use of a Company vehicle in a manner that is in violation of this Company policy.

Violations of this Policy – Use or operation of a Company vehicle under any of the following non-exclusive examples of circumstances is considered to be outside the scope of permission given by the Company for the use of the vehicle and in direct violation of this Company policy:

1. Driving, operating or using, a Company vehicle by anyone who has consumed any alcoholic beverage of any amount whatsoever.
2. Operating a Company vehicle in a careless or dangerous manner; speeding or any other unlawful operation;
3. Driving, operating, using or occupying a Company vehicle by anyone who has consumed or ingested any controlled or illegal substance or drug, unless the controlled substance or drug has been prescribed by a physician having knowledge that a vehicle may be operated or used by that person while under the influence of the controlled substance or drug;
4. Driving, operating, or parking a Company vehicle at an establishment that maintains the service of alcohol as its primary business;
5. Hauling goods or pulling any type of trailer for any reason other than Company business, including but not limited to the hauling or pulling of boats, motorcycles, etc.;
6. Driving, operating, using, or occupying a Company vehicle for any reason except as may be necessary for traveling to and from work or for Company business only. However, any deviation from the normal, ordinary and most direct route traveled to or from work is not authorized or permitted, unless directly related to Company business;

7. Any Company employee operating or using a Company vehicle or a personal vehicle for Company business under a suspended or revoked driver's license will be considered acting in violation of this Company policy. Any Company employee to whom a Company vehicle has been assigned or who receives a monetary allowance as reimbursement for expenses incurred in the operation and/or use of his/her personal vehicle for Company business, shall immediately notify the Company President in the event his/her driving privileges are suspended or revoked.

*Any person occupying a Company vehicle is required to wear a seat belt at all times.

*Any person occupying a Company vehicle is required to observe posted speed limits and practice safe driving procedures at all times.

Pedestrians & Motor Vehicle Safety

In all instances, promulgated traffic and safety rules must be observed and shall be controlling.

Pedestrians inside Company Premises – Walk on the right side of the road unless told to do otherwise. Do not take shortcuts through unauthorized entry, operating areas, or buildings.

Motor Vehicles – Employees should not use vehicles unless they've been assigned one by a supervisor, have received safety instructions, and possess a valid driver's license.

Vehicle Safety –

- a. Drivers must observe posted speed limits and practice safe driving procedures at all times. Keep in mind that driving at the maximum speed limit can be too fast for safety in some circumstances and situations; therefore, drivers should use good judgment and proceed at a speed suitable to conditions of the vehicle itself, the road, the traffic, and the weather.
- b. Drivers and vehicle passengers are to wear seat belts.
- c. Strict compliance with jobsite parking regulations is required.
- d. Getting on or off a vehicle while it is in motion is strictly forbidden, as is riding on the running board, fenders, or anywhere on the vehicle not designated for passengers.
- e. No gasoline or diesel fuel should be supplied to the fuel tank of a motor vehicle while its engine is running. If a servicing unit equipped with an engine is used to fuel the vehicles, the engine of the servicing unit should also be shut off if its power is not needed to deliver the fuel.
- f. Smoking is not allowed near or in a vehicle while it is being refueled.
- g. Except in emergencies, gasoline is not to be carried inside cars or cabs of trucks. When emergency requires that this be done, the container must be sealed tightly to prevent leakage of gas or gas vapors.
- h. Flammable liquids are not to be carried in trunks or luggage compartments of vehicles equipped with two-way radios. However, sample containers handled by gas testers and

other authorized persons may be carried in such vehicles, provided that the valves are plugged to prevent leaking.

- i. Precaution must be taken to ensure that aerosol-type containers, including engine-starting fluids and de-icers, are not exposed to solar heat long enough to cause them to explode. Aerosol containers should not be carried in the same compartment with two-way radio transmitters.
- j. Motor vehicles must not be driven, or gas engines used within gaseous areas such as around tank batteries, emergency burning pits, and low points where gas may have accumulated.
- k. Hauled materials that overhang the sides or extend from the end of the vehicle MUST be red flagged.
- l. DO NOT operate equipment such as welding machines, pumps, and so forth while the engine of the vehicle is running.
- m. DO NOT overload a vehicle. Carry only the allowed number of passengers for the vehicle type and size and carry only the allowable weight-bearing capacity.
- n.

Vehicle Accidents – Any job-related vehicle accident, no matter how minor, MUST be reported as soon as possible to one’s supervisor.

Any vehicle entering or leaving Company Premises or Company or client parking area is subject to inspection. Refusing to allow such inspections is grounds for immediate termination.

Required Insurance Protection – Certain employees may drive their own vehicles for Company purposes. These employees must hold a valid driver’s license and maintain adequate personal automobile liability insurance. Required limits are:

- \$100,000 – Bodily injury per person
- \$300,000 – Bodily injury per accident
- \$500,000 – Property damage

A valid certificate of insurance reflecting the above required auto insurance must be furnished to the accounting department.

Employees using their personal vehicle for the Company’s business should promptly submit an expense report each month that details the number of miles driven on Company business. The Company will pay mileage reimbursement in accordance with applicable reimbursement rates.

Email & Internet Usage Policy

The following policies apply to all employees accessing the email system or Internet through the Company’s, client’s, or job site’s information systems network.

Email and Internet Policy – All network transmission or email is considered property of the Company. Users should not have an expectation of privacy in anything they create, store, send, or receive via the Company email system. The Company email system is to be used for official Company business purposes only. This includes all internal and Internet email, instant

messaging, or electronic means of communication. The Company has the right to review all information traveling over the Company's network. Unless expressly authorized, viewing, sending, transmitting, or otherwise disseminating proprietary data, trade secrets, or other confidential information of the Company is strictly prohibited. Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful or inappropriate may not be sent by email or any other form of electronic communication. Users encountering or receiving this kind of material should immediately report the incident to the Human Resources Representative or President of the Company.

Workplace Violence Policy

The Company has zero tolerance for violence in the workplace. Acts of violence, threats, harassment, intimidation, and other similar conduct against any person, by anyone, while on Company Premises, will not be tolerated. Such acts will be cause for immediate removal from the Company Premises, and following investigation, may result in the suspension or termination of any business relationship or in the suspension or termination of employment. If an employee or visitor is determined to be in violation of this policy, the result will be permanent denial of access to Company Premises.

In Case of An Emergency Due to Violence, Call 911.

The entire Company community has a stake in maintaining a safe and healthy workplace. To bring this about, it is necessary that everyone take a proactive stance of **zero tolerance for workplace violence**. It is everyone's responsibility to report to the Company Representative designated below, prohibited conduct and situations that have the potential for turning violent. In addition, anyone who believes her/himself to be at risk of losing control to the point that it might result in violence, should contact the Company Representative to discuss the circumstances and for possible assistance referral.

The designated **Company Representative** is the Project Superintendent.

Unless it is an emergency, employees should also report such observations to their management representative. The employee's management representative is responsible for filing an Incident Report, to inform the Company of all workplace violence incidents.

The following definitions are pertinent to this document:

1. Prohibited Conduct includes but is not limited to the following: the use or possession of weapons in the workplace; any act of violence, threat, harassment, or intimidation; other disruptive conduct capable of turning into an incident of violence, regardless of whether the

conduct consists of physical acts, oral or written statements or expressions, if these are meant to communicate a direct or indirect threat of physical harm toward an individual.

2. Workplace Violence - is the term used to refer to conduct carried out on Company Premises while in the performance of your work, and includes conduct that takes place off Company Premises, if it ensues because of the persons' connection to Company employment.

Company Arbitration Policy

During the term of your employment with the Company, differences may arise between the Company and you in relation to your employment or your interactions with a client or subcontractor of the Company or a subcontractor of a Company client or its/their employees. The Company maintains a policy of resolving any and all claims, disputes or controversies arising out of or relating to the relationship or interactions between the Company and its employees, any termination of an employee's employment with the Company, an employee's presence on Company Premises, or any related matter, or any of the aforementioned matters which arise between any employee of the Company and a client or subcontractor of the Company or a subcontractor of a Company client or its/their employees exclusively by final and binding arbitration before a neutral arbitrator pursuant to the American Arbitration Association's *Employment Arbitration Rules* ("Rules"), a copy of which is available at www.adr.org or from the Company. By way of example only, some of the types of claims subject to final and binding arbitration include claims for an alleged wrongful decision not to hire an employee; claims for discrimination or harassment on the basis of age, race, religion, disability, national origin or other basis prohibited by state, federal, or territorial law; or claims for breach of any contract, express or implied; any tort claims; any claims for personal injury or property damage; or any claims the Company or any contractor or client of the Company may have against an employee of the Company. This policy extends to disputes with or claims against the Company and any of its owners, officers, directors, shareholders, employees, agents, or affiliated companies, entities, employees, directors, shareholders, agents, or individuals, and any client of the Company (as intended third party beneficiaries of this Company policy) and survives the termination of any employment or other change in employment.

AAA's Rules will govern the allocation of costs and expenses except as otherwise agreed and set forth below. If an employee initiates arbitration by submitting a written claim to the Company Human Resource Manager (or other designated representative of the Company), or a client of the Company as applicable, unless Employee elects otherwise, the Company (or the third party beneficiary, as applicable) will be responsible for the filing fee charged by AAA, as well as AAA's daily administrative fees, the cost of the hearing location, and the compensation and travel expenses of the Arbitrator. The arbitration hearing shall take place in San Juan, Puerto Rico.

The arbitrator shall also arbitrate the issue of arbitrability of any claim. The arbitrator shall decide all issues of arbitrability including, but not limited to, any defenses to arbitration based on waiver by litigation conduct, any other type of waiver, delay, or like defense. The arbitrator shall also decide whether any and all conditions precedent to arbitrability have been fulfilled. All matters of substantive and procedural arbitrability shall be decided exclusively by arbitration.

Nothing in the Company's arbitration policy shall be construed as prohibiting a Company employee from filing an administrative charge of discrimination, an unfair labor practice charge, or other administrative claim for relief with the Equal Employment Opportunity Commission, the National Labor Relations Board, Puerto Rico Department of Labor, or any other government administrative agency acting pursuant to federal, state, or territorial law.

***Special Note:** This arbitration policy and the other documents referenced above affect your legal rights. You should familiarize yourself with all Company policies, rules, and procedures, because adhering to all Company policies, rules, and procedures is a condition of your employment with the Company. You may wish to seek legal advice if you have any questions about the effect of this arbitration policy on your rights.*

COMPLAINTS

Open Door Policy

The purpose of this policy is to provide an equitable method for prompt and complete consideration of any employee's problem relating to his/her job, compensation, or working conditions.

The Company will maintain an open-door policy regarding employee complaints, problems, and suggestions. It is important in maintaining the posture that employee concerns be given a fair evaluation with issues being resolved at the lowest possible supervisory level in a timely manner. Immediate supervisors must also allow individuals to take unresolved complaints to the next level of management without fear of retribution.

PROCEDURE:

Initial step is for an employee to request an opportunity to discuss a problem or complaint with their supervisor. Upon discussing the issue, the supervisor will provide a response. In most cases the issue should be resolved at this level.

In the event the issue is unresolved after discussion with the supervisor, the employee or supervisor may request a meeting with the next level of management, in order that the parties can meet to discuss and find an equitable solution to the issue.

In the event a satisfactory agreement is not reached at this point, a meeting can be requested with the Project Manager or his/her delegate. This meeting in which neither the employee or the supervisor will be represented by legal counsel, will be conducted by the Project Manager or his/her delegate, allowing the employee an opportunity to present his/her case in complete form. Following the employee's presentation, the employee's supervisor will present a response to the issues in question. The Project Manager or his/her delegate may ask questions to help clarify any concerns that might not have been addressed or completely answered during the presentations. The purpose of the meeting is to provide a satisfactory resolution to the issue at hand.

No recourse to the Company Open Door Policy will extend the period of time for making a claim for arbitration. No employee will be penalized in any way for pursuing a solution through this procedure.

TERMINATION OF EMPLOYMENT

Termination

Puerto Rico

Puerto Rico is a 'just cause' territory. Just cause is defined as:

1. Disorderly conduct
2. Inability to perform the necessary requirements
3. Receiving multiple complaints from customers
4. Repeatedly violating the written rules of the Company (assuming the employee has received them.
5. Closure of the Company's operations (full, temporary, or partial)
6. Company reorganization
7. Employee reduction of employees

(Gonzalez-Valentin et al., 2022)

Final Paycheck

Terminated employees will receive their next paycheck on the next available pay date. This final check will include all earned compensation.

COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives eligible employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Company's health plan when a "qualifying event" occurs that would normally cause them to lose their health insurance coverage. Examples of "qualifying events" include changing jobs due to resignation, termination, or death of an employee; a reduction in an employee's work hours; a leave of absence; 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 the Employer's group rates plus a 2% administration fee. Each eligible employee or beneficiary will be provided a written notice describing rights granted under COBRA when they become eligible for COBRA coverage. The notice contains important information about the employee's rights and obligations.

References and Employment Verification

All reference and employment verifications must be submitted to Human Resources in writing. Superintendents, leads, and other employees cannot disclose information of current or past employees.

CITATIONS

Pertinent Citations

Gonzalez-Valentin, K., Judith Marchand-Sanchez, M., Marvez-Valiente, P. M., Figueroa-Rosario, G. J., Sanchez-Aleman, G. E., & Rodriguez-Velazquez, N. G. (2022, February 16). *The Employment Law Review: Puerto Rico*. The Employment Law Review - The Law Reviews. Retrieved August 22, 2022, from <https://thelawreviews.co.uk/title/the-employment-law-review/puerto-rico>