

**PLEASE READ AND SIGN THE  
FOLLOWING PROVISION:**

I, \_\_\_\_\_, have been furnished this copy of the Manatts Employee Handbook. At the time this Handbook was provided to me, I was directed to read this manual in its entirety and was directed that, if I have any questions concerning the provisions in it, I should contact the Director of Human Resources, Dan Boyer, with those questions. By signing and dating this page in the Handbook, I agree that I will read this manual in its entirety within the next 24 hours and that I will contact the Director of Human Resources, Dan Boyer, with any questions I have concerning any of the policies, either now or in the future. By signing and dating this page in the Handbook, I signify my understanding that this Handbook does not constitute an employment contract and that I understand that I am an employee at will. By signing and dating this page in the Handbook, I signify my understanding that Manatts, Inc., reserves the right to change the contents of this Manual and my agreement to abide by the intent and the rules set forth in this Manual while I am employed by Manatts, Inc.

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

Signature \_\_\_\_\_

Date \_\_\_\_\_

(Remove this page and turn in to Human Resources Dept.)



## ACKNOWLEDGMENT FORM

This handbook is intended to provide general information to employees of Manatts, Inc. ***The policies and information described in this handbook are not conditions of employment, and the language is not intended nor does it create a contract between Manatts, Inc., and any employee.*** Manatts, Inc., reserves the right to change, add to, eliminate, or modify any of the policies in this manual at its discretion, with or without notice. Employees may resign their employment at any time and for any reason, and Manatts, Inc., reserves the same right to discontinue an individual's employment at any time and for any reason.

Any employee handbooks or manuals previously distributed are now specifically revoked and rescinded and the provisions in them are now null and void. Employment or continued employment following the distribution of this new handbook and the revocation of all prior handbooks or manuals will be considered to be your acceptance of this handbook as the sole and exclusive source of information regarding your employment other than applicable employee benefit documents.



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## WELCOME to the Manatt Team

We are pleased you have chosen to join our team. We hope your association with us will be challenging and rewarding. You have been instructed to read this manual carefully and you have agreed to do this when you received this manual. It is your personal copy to keep for future reference. The information contained is important for new and veteran employees.

### **A LOOK AT MANATT'S AND HOW IT ALL STARTED**

In April of 1947, Junie Manatt bought a new Studebaker truck for \$2,000. He bought a thirteen foot stock and grain box for \$300. Junie paid the \$65.00 for the license plates and borrowed all the rest. He hauled grain and livestock in that truck until November of 1947. He then bought a new 1948 K-6 International for \$2,659.00 He hauled #2 mix from the Flint Crushed Gravel Company at Tama. A seven ton load of #2 mix was a mixture of 70% sand and 30% river gravel which Junie unloaded by hand! In 1948, he bought a new F6 Ford truck and placed a new, all steel Weston lime box on it. Then he bought a 1949 Studebaker truck with a center-dump lime box for hauling lime in the winter and stone in the summer. With a new 1951, F6 Ford truck, Junie and the trucking business was off and running. Junie would haul anything, anywhere, at anytime. Junie and his brother, Clair, hauled from that Tama location for the next ten years. They did, however, get hoists on their trucks.

In 1958, they bought Flint Crushed Gravel for \$75,000. and Manatts, Inc., still operates from that location as Tama Sand & Gravel Plant.

In 1952, Merlin graduated from college and began an implement dealership with Junie in Victor, Iowa. They sold the implement business in 1958, and Merlin joined his brothers, Junie and Clair. The road construction business began about 1956 when 3 old Minneapolis Moline tractors, some rubber-tired rollers, two sheepsfoot rollers and an old lowboy trailer were purchased to begin laying rolled stone base.

The farming business began around 1962 when Junie bought 260 acres at an auction. The Company (Manatt Enterprises) now

has around 3500 acres, of which 1500 is farmed and the rest is rented out.

In 1959, they had about three ready mix plants, three ready mix trucks and three or four dump trucks. Clair had the responsibility for the sand and gravel plant at Tama, while Merlin had the asphalt and seal coat construction projects. Junie was in charge of ready mix and concrete paving operations. After Clair passed away in 1962, Junie and Merlin jointly assumed the other construction tasks. They plowed back into the operations any money they made to create the Company that exists today.

Today, Manatts, Inc., is a diversified construction company with operations in ready mix concrete, asphalt paving, concrete paving, seal coat, water and sewer, trenching and shouldering, milling, sand and gravel, limestone quarries, farming, dirt excavation, laboratory consulting and miscellaneous contracts utilizing over 350 power units.

Following is a list of the more important events in the history

## CHRONOLOGICAL EVENTS OF SIGNIFICANCE

- 1954..... Started first ready mix plant in Brooklyn.
- 1958..... Junie, Merlin, and Clair organized Manatt's, Inc.
- 1958..... Bought Tama Sand Plant from Flint Crushed Gravel Co.
- 1958..... Built ready mix plant at Montezuma.
- 1960..... Bought Wahl & Dee Ready Mix plant at Victor.
- 1960-70..... Bought ready mix plant at Belle Plaine from Andy Wilson. Bought Dysart and Traer from Jim Youngblut. Built plant at New Sharon.
- 1963..... Bought first Mack truck.
- 1964..... Bought eight Mack trucks with trailers. Had contract to haul 50,000 ton of rip rap from Ferguson Quarry to Red Rock dam. Approximately 55 mile haul and received \$2.50 per ton.
- 1964..... Bought portable plant for use on Interstate 80 south of Marengo for bridges and culverts.
- 1965..... Moved above portable plant to stationary location at sand plant at Tama. Still in use today.
- 1970..... Bought United Concrete at Waterloo with Cecil Crouse.
- 1971..... Purchased ground in Newton and began concrete and asphalt operations, 75 tph asphalt plant.
- 1977..... Bought Cecil Crouse's interest in United.
- 1977..... 100,000 ton shouldering project on Highway 30. Purchased two new 12 G's and RW195 shoulder machine.
- 1979..... First one million dollar project installing subdrain on I-80 Poweshiek County.
- 1979..... Purchased first asphalt drum mixer 250 tph for Newton operation.
- 1980-81..... Manatt-Carter Paving Co. is subcontractor for Blount International in Ft. Polk, Louisiana. Two million dollar project to install parking lot for tanks.
- 1981..... Newton asphalt crew goes to Texas to overlay I-20 in Van Zant County.; \$4 million project. Lost \$400,000 on project and burnt up three trucks.
- 1982..... Purchased Iowa Road Builders in Ames. Asphalt and concrete.
- 1982..... Bought out K. C. Carter's interest in concrete paving operations.

- 1982..... Martin Marietta sold Jackson's and Manatt's their Waterloo Northern Iowa quarry operation. First experience in limestone crushing operations. Hired Don Dunlap to run the company, called Basic Materials.
- 1983..... Purchased first milling machine, a CMI PR450.
- 1984..... First interstate asphalt resurfacing project in Jasper County; 3.4 million. First interstate concrete unbonded overlay project in Poweshiek County; \$4 million.
- 1985..... Brad, John, Mike, Tim, and Tony purchased L. L. Pelling Co. with asphalt and sealcoat operations in Iowa City and Cedar Rapids. Their partner is Russ Rhinehart.
- 1985-89..... PCC Paving Division got strong on Corp of Engineer's work at Offutt AFB, Nebraska; Ellsworth AFB, South Dakota; and McConnell AFB, Kansas. Over 200,000 cy placed.
- 1986..... PCC Division bought a new Con-E-Co plant with Hetzel drum and Rex Town & Country paver. Start of the big time.
- 1987..... Purchased twenty ready mix plants from Shirey.
- 1987..... Purchased Wendling Quarry, a limestone producer in Muscatine, Cedar, Linn, and Jones counties.
- 1987..... Purchased Illowa Investment in Blue Grass.
- 1990..... Purchased Aggrecon from Jerry Kincaid. Limestone producer in Clinton, Jackson, Cedar, Linn, and three counties in Illinois. Merged them with Wendling Quarries.
- 1991..... Purchased Macy Brothers in Grinnell.
- 1992..... Brad, John, Mike, Tim, and Tony purchased Manatt's, Inc., Wendling Quarries, and Illowa Investment from Merlin and Junie. United Concrete, Marquart Block and interest in Basic Materials and Aspro, Inc. were retained by Junie and Merlin. Completed new ready mix plant in Grinnell.
- 1992..... Purchased Norris Asphalt of Ottumwa. Basically, a highway asphalt laydown company with two portable plants and two permanent plants. Brady Meldrem is president of the new company.

- 1993..... PCC Paving Division got PCC inlay in Jasper Co. for \$7.8 million. Used our new invention, "The Paradigm" for the first time. The Paradigm is an on grade recycling system that will revolutionize the industry of recycling PCC pavements.
- 1994..... Completed new ready mix facility in Ames.
- 1995..... Wendling Quarries Inc. purchased Vulcan Materials-Iowa Division Quarries in Tama, Benton, Lynn, Jones, and Jackson Counties. Low in Jasper Co. on I-80 project by one million dollars on twenty million dollar reconstruction job. Six sections to build in two years; completed five sections. Very good job. Completed ready mix plant in Tama. Completed new asphalt facility in Ames. Won NAPA's Ecological Award for new hot mix facility.
- 1996..... Won the NOVA Award for construction innovation with the development of the Paradigm.
- 1997..... Norris Asphalt purchased Moberly Stone in Moberly, Missouri - rock quarry and underground mine. Completed new ready mix plant in Traer. Celebrated 50 years in business. Purchased the first recycler/stabilization machine.
- 1998..... Manatts, Inc., purchased GNA Concrete and Iowa Contractors with ready mix plants in West Des Moines, Johnston, Ankeny, Altoona. Curt Manatt to manage Metro Division. Ames Ready Mix has unbelievable year; sells and delivers over 100,000 cy. Larry Ford, Tom Manatt, and Cindy Ogden were managing this operation.
- 1999..... Purchased Green Limestone Quarries. Located across the road from Moberly Stone. Renamed Norris Aggregates. Should be about 800,000 ton market. Purchased Colfax ready mix plant from VO Ready Mix. Low bid on I-35 reconstruction - twenty miles, twenty million dollar job. Portable asphalt plant fire in Adair Co.; replaced Plant and continued work. Major work on I-80 in Adair Co., 80,000 ton; Audubon Co. new construction, 160,000 ton.

- 2000..... March 19, 2000, Junie died at the age of 73. Completed new weld shop, equipment shop, and parts room addition in Brooklyn at the Corporate Office. Purchased ½ interest in Bard Concrete with ready mix plants and quarries located in NE Iowa. Completed new ready mix plant in Vinton. Purchased 4th milling machine to help complete 235,000 ton of asphalt removal to be replaced with 12 miles of new PCC pavement in Adair Co. Finished this twelve million dollar 2-year project in 1 year.
- 2001..... Manatts, Inc., purchased United Concrete in Waterloo from Manatt Enterprises. Completed new state-of-the-art ready mix plant at United Concrete. Purchased portion of Russ Rhinehart's share in L. L. Pelling. Norris Asphalt won prestigious Sheldon B. Hayes Award for County Road P46 Ringgold County paving project. Eleven million dollar paving project in Hardin Co and three million dollar, 87,000 ton asphalt job in Greene Co.
- 2002..... Completed new 15,500 square foot building for concrete dispatch, tire shop, and quality control in Brooklyn. Completed new ready mix plant in Independence. L. L. Pelling purchased Landa Painting which merged with Pelling. Purchased 2nd reclaiming/stabilization machine and 1st machine with foamed asphalt system. Completed one of Iowa's first DOT experimental full-depth projects in Boone Co. using this technique. The Paradigm traveled to Arkansas to complete 1st half of 2-year project. Four million dollar 90,000 ton asphalt job in Jasper Co.
- 2003..... Brad, John, Mike, and Tony purchased Tim's Company interests from him in preparation for his retirement. Completed new ready mix plant in Montezuma. Purchased R-Way Concrete in Adel which became part of Metro Division. Purchased land for future ready mix plant site in Guthrie Center and Grimes. Norris Aggregates purchased 11 Martin Marietta quarries. Seven million dollar I-135 PCC project in Wichita, Kansas.
- 2004..... Purchased new portable asphalt plant. Norris purchased 2 additional quarries from Ideker Inc. in St. Joseph, Missouri. Ten million dollar PCC new and reconstruction project in Tama-Marshall Counties. 118,000 ton 4.8 million dollar asphalt project in Jasper County using new super high performance materials.

2005..... Tim Manatt officially retired. Lost two key people in our organization unexpectedly; April 17, 2005, Tom Manatt, 44, drowned in canoeing accident and July 1, 2005, Mike Manatt, 52, suffered a fatal heart attack. Completed new state-of-the-art ready mix plant in Ankeny and also built a new ready mix plant at Grundy Center. Formed strategic alliance with Allied Construction and Green Limestone. Purchased the assets of M. Peterson Company with American Concrete in Des Moines. Helped Valley Environmental build new facility in Newton capable of storing 500,000 gallons of waste oil used at our asphalt plants. 3.5 million dollar Grinnell downtown street reconstruction project. PCC paved 37.5' wide on two different projects with two different paving crews. Fly ash stabilization business boomed in growth.



# Introduction

## **INTRODUCTION**

This manual is for general information purposes and nothing in this manual or in other Company policies, procedures or practices (whether verbal or written), the acceptance of or continuance of employment, should be interpreted as a contract of employment, a promise of continued employment or as creating an implied or contractual duty between the Company and any employee. No one, except the President, has the authority to enter into an employment contract with any employee and then it must be in writing.

## **COMPANY VISION**

The Manatt Companies are engaged in a variety of enterprises. They range from road construction to ready mix concrete, to material producers, to a variety of trucking services and other related fields. It is our intent for these companies to grow. This can be done by providing our customers with quality products, at a price that the customer is willing to pay and with an efficiency that will create a profit that we will be able to pay good wages and be generous with fringe benefits. If you can view the customer as the one who ultimately pays your wages and the Company's profit, then you will properly see your role in this economic process. It would be good to memorize and practice the Company's Mission Statement:

**TO SAFELY DO EVERY JOB WE DO  
BETTER THAN ANYBODY ELSE.**



# Employee Policies

## **NO LEGAL STATUS**

This Employee Policy Manual does not represent contractual terms of employment. It is an explanation of employment policies subject to change by Manatts, Inc. The Company reserves the right to make changes in content or application of its policies as it deems appropriate, and these changes may be implemented even if they have not been communicated, reprinted, or substituted in this employee manual. Employment at Manatts, Inc., is At-Will, meaning that either the employee or the Company may terminate the employment relationship at any time, with or without notice. This At-Will relationship remains in full force and effect notwithstanding any statements to the contrary made by Company representatives or set forth in any other documents.

## **EQUAL OPPORTUNITY EMPLOYMENT EMPLOYER**

It has been, and will continue to be, the policy of Manatts, Inc., to be an equal opportunity employer. In keeping with this policy, Manatts, Inc., will continue to recruit, hire, train and promote into all job levels the most qualified persons based upon merit and abilities without regard to race, color, religion, gender, national origin, age, disability, or status as a Vietnam era or disabled veteran. Similarly, Manatts, Inc., will continue to administer all other personnel matters such as compensation, benefits, transfers, layoffs, and discipline in accordance with Company policy.

Manatts, Inc., will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employee with questions or concerns about any type of discrimination in the workplace is encouraged to bring these issues to the attention of his or her immediate supervisor or Dan Boyer, the Director of Human Relations. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination or retaliation will be subject to disciplinary action, up to and including termination of employment.

## **EMPLOYEE CLASSIFICATIONS**

It is the intent of Manatts, Inc., to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and Manatts, Inc.

Each employee is designated as either NONEXEMPT or EXEMPT from federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. An employee's EXEMPT or NONEXEMPT classification may be changed only upon written notification by Manatts, Inc.'s management.

In addition to the above categories, each employee will belong to one other employment category:

Full Time Employee: An employee who is scheduled to work 12 months of the year.

Full Time Seasonal Employee: An employee who is scheduled to be laid off at the conclusion of the construction season, but is expected to return at the beginning of the next season.

Part Time Employee: An employee who remains on the payroll roster and may work anytime during the year, but not on a regular basis.

## **EMPLOYEE STATUS CHANGES**

Any change in name, address, telephone number, marital status, dependency changes, or other similar changes, should be reported to your immediate supervisor and to the Human Resources Department in Brooklyn.

## **PROHIBITED HARASSMENT POLICY**

### **PURPOSE**

It is the policy of Manatts, Inc., that harassment on the basis of protected classification (race, creed, color, religion, sex, national origin, marital status, status with regard to public assistance, disability, age, membership in a local human rights commission, or sexual orientation) including sexual harassment, is prohibited.

Such harassment violates the law, creates an offensive working environment, decreases productivity, adversely affects positive working relationships, increases costs to the Company and tarnishes the image of the Company and everybody associated with it.

### **POLICY**

No employee of Manatts, Inc., may engage in verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of that person's race, creed, color, religion, sex, national origin, marital status, status with regard to public assistance, disability, age, membership in a local human rights commission, or sexual orientation, or that person's relatives, friends, or associates, if the conduct:

1. has the purpose or effect of unreasonably interfering with the person's work performance; or
2. otherwise adversely affects that person's employment opportunities.

The following are examples of prohibited harassment.

Please note that these are not the only examples. If you have a question about whether conduct is permissible under this policy, you should discuss it with your supervisor or with Dan Boyer, the Director of Human Resources.

1. Epithets, slurs or negative stereotypes;
2. Intimidating or hostile acts based upon protected classification;
3. Written or graphic material that denigrates or shows hostility or aversion to persons of a protected classification and that is posted or circulated on Manatt's, Inc.'s property;

One form of prohibited harassment is sexual harassment. Sexual harassment is prohibited as to both females and males. Sexual harassment is defined as :

1. Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee's obtaining employment or continuing employment; or
2. Making submission to or rejection of such conduct the basis for employment decisions affecting an employee; or
3. Creating an intimidating, hostile or offensive working environment or otherwise substantially interfering with an individual's employment by such conduct; or
4. Retaliating against an employee for complaining about such conduct.

The following are examples of sexual harassment. Please note that these are not the only examples.

1. Unwelcome sexual flirtations, propositions, and invitations to social events;
2. Offensive physical contact or physical closeness;
3. Use of words of a sexual nature describing body parts or sexual acts, telling "suggestive" jokes or stories, and conversations about sexual exploits or sexual desires;
4. Displaying in the workplace sexually suggestive objects, pictures, cartoons, or representations of any action or subject which is sexual in nature and which can be perceived as offensive;
5. Sabotaging an employee's character, reputation, work effects, or property because of sex;
6. Direct and indirect suggestions that an employee's job security, job assignment, conditions of employment, or opportunities for advancement depend in any way upon the granting of sexual favors or relations.

If you have a question about whether conduct is permissible under this policy, you should discuss it with your supervisor, the Director of Human Resources, Dan Boyer at 641-522-9206, Ext.209; or the Assistant Director of Human Relations, Diane Kilmer 641-522-9206, Ext. 261.

Manatts, Inc., recognizes that consensual relationships sometimes exist between employees who are, or have the potential of becoming, sexual in nature. Manatts, Inc., strongly discourages such relationships, particularly those between a supervisor and subordinate and those in which differences in age, background, or other characteristics of the two individuals compromise the ability of either one to make an informed decision about participating in the relationship.

### **COMPLAINT RELATING TO PROHIBITED HARASSMENT**

An employee who believes he or she has been subject to harassment prohibited by this policy, or who believes he or she knows of or has witnessed harassing behavior directed towards other employees, should report the incident immediately to his or her supervisor, Dan Boyer, Director of Human Resources, or Diane Kilmer, Assistant Director of Human Resources. Under no circumstances are you required to report such behavior to the person you believe is harassing you.

The complaining employee will be asked to put the facts surrounding the offensive conduct or communication in writing. The complaint will be investigated, and the investigation may include interviews with the employee making the charges, the accused employee, and appropriate witnesses, depending upon the individual circumstances of the matter.

Determination of whether prohibited harassment occurred will be made on a case-by-case basis, depending upon the circumstances of the matter, including the type of harassment alleged, the context in which the alleged harassment occurred, and any other facts deemed relevant. The employee making the complaint will be advised of the final disposition of the matter.

### **PENALTIES FOR PROHIBITED HARASSMENT**

A violation of this policy may be grounds for immediate discipline, up to and including discharge, or other appropriate action. Sanctions, if any, will be determined on a case-by-case basis, after a review of the relevant information.

### **HOW TO GET MORE INFORMATION**

Any questions regarding your obligations and those of others under this policy should be directed to Dan Boyer, Director of Human Relations.

## **RIGHT TO KNOW LAW**

Manatts, Inc., has a written Hazardous Communication Program. This program applies to potentially hazardous chemicals that employees may come in contact with on the job. Employees should be aware of the following:

- ◆ A list of hazardous substances expected to be used on the jobsite will be posted at each jobsite.
- ◆ Information about such potentially hazardous substances will be detailed on the Material Safety Data Sheets (MSDS).
- ◆ Material Safety Data Sheets which inform employees about hazardous substances on our jobsites will be available on the jobsites or at the Safety Department office in Brooklyn.
- ◆ If any employee should have a question regarding any potentially hazardous substance, they should refer to the Material Safety Data Sheet or ask their immediate supervisor.
- ◆ If there should be an accidental spill or any other such mishap in which you believe a hazardous substance is involved which might endanger yourself or others, notify your supervisor immediately.

## **DRUGS IN THE WORK PLACE**

It is the intent of Manatts, Inc., to comply with the Omnibus Anti Drug Abuse Act of 1988, otherwise known as the "Drug Free Workplace Act" and referred to in this section as "the Act".

It is prohibited to manufacture, distribute, possess or use a controlled substance in the workplace. Disciplinary actions of up to, and including discharge will be taken against individuals violating the Act.

Discharge, or a conditional status, may be imposed on the first offense. Such conditional status would require that the employee submit to appropriate and approved counseling within thirty (30) days of the violation. A second positive test for illegal drugs will result in termination. A refusal to submit a test sample is considered a positive test.

Should any employee desire assistance in contacting or locating appropriate substance abuse counseling or an assistance facility, they should contact the Director of Human Resources in Brooklyn or they should make contact with the Employee Assistance Program by calling EMPLOYEE ASSISTANCE PROGRAM OF IOWA at *1-800-327-4692*.

If an employee should ever be convicted of a substance abuse violation at the worksite, they are required under the Act to notify the Company within five (5) days. Notification should be to either their immediate supervisor or the Director of Human Resources. Failure to notify will result in immediate discharge from employment.

### **REASONABLE CAUSE**

Any employee involved in an accident, in the course of the work day, that causes injury to themselves or anyone else, or causes property damage may be required to submit to substance abuse testing at the discretion of the supervisor based on reasonable cause.

Failure of the employee to submit to such required testing within a reasonable time will result in the suspension and possible termination of the employee.

**Manatts, Inc.**  
**Worker's Compensation Program**

**Frequently Asked Questions:**

1. **When will I be paid?** The first worker's compensation check usually takes from 7 to 10 days to receive. After that they generally come every week at the same time.
  
2. **Can I see my own doctor? Chiropractor?** No, you will be sent to a doctor of our choice. We generally set up Occupational Medicine at a facility nearby to take care of our employees. Sometimes when we are on a crew this is not possible. Chiropractic care is not taken care of unless a medical doctor has okayed it.
  
3. **What if I do not want to do the Return to Work modified duty job?** If work is available and within your restrictions, you must do the modified return to work job. Worker's compensation benefits will suspend if you refuse to work.
  
4. **Who pays the medical bills?** All medical bills will be taken care of by the worker's compensation carrier. However, these bills and the provider's will have to be approved by either the Work Comp coordinator and/or the insurance carrier.
  
5. **What if medical bills shows up at my home?** If you are receiving medical bills at home, then they are not being received at Manatts. You will need to make sure that they get to the Work Comp Coordinator so that payment can be made.

Manatts, Inc.  
Workers' Compensation Program  
Policy and Procedure

Subject: Workers' Compensation Program

Section: Workers' Compensation Revised:

Approved: \_\_\_\_\_

Effective: \_\_\_\_\_

Revised: \_\_\_\_\_

**POLICY:**

Manatts, Inc., recognizes the importance of a consistent and equitable Workers' Compensation Program in protecting the valued employee in the event of a work related injury or illness. Reasonable effort will be made to assure proactive, quality

care and an expedient return of the employee to his/her pre-injury status whenever possible.

The Workers' Compensation Program covers all individuals meeting the regulations set forth by the state of Iowa regardless of the position or status (i.e., full-time, part-time, PRN, volunteer, etc.). The plan is according to Iowa statute and provides medical

and indemnity (lost wages) protection for the individual in the event of a work related injury or illness.

Benefits begin on the fourth day of disability and typically end when maximum medical improvement has been reached or when the employee returns to work. These benefits may be extended as part of the<sup>30</sup>**Early Re-**

**turn to Work Policy**  
when a physician recognized by Manatts, Inc., as a designated caregiver identifies temporary or permanent partial disability.

**Note:** Under Iowa law, the *employer* has the right to direct medical treatment, including specifying and authorizing the treating physician.

# **PROCEDURE:**

## **Injury Reporting/Claim Processing Procedures**

**Responsibilities of the**

## injured worker:

- The employee must report the work-related incident that caused (or could have caused) illness or injury to his/her supervisor and the workers' compensation coordinator *on the day of the incident*. This is accomplished by completing the Incident Report available from his/her supervisor and

should be done regardless of whether medical treatment is initially given or not.

Failure to report the work-related incident within 24 hours of the incident may result in corrective action.

Failure to follow the **Iowa Notice Statute** may jeopardize Workers' Compensation benefits. The law states that the em-

**Release to Full duty after 120 days:** When the employee is unable to return to their original position within 120 days, the employee's supervisor may fill the position. From the time that the authorized physician has determined that the employee may return to work, either at modified or full capacity has been reached, the employee will be allowed an additional 45 days of employment. This 'grace period' allows the employee to continue employment with Manatts, Inc., while searching for a permanent position consistent with his/her capabilities. If the employee is not able to secure a regular position at the end of the 45 day 'grace period', his/her employment status may be terminated. The Workers' Compensation claim will in no way alter that employee's rehire eligibility.

**Priority Hiring and Preferential Consideration:**

During the 45-day 'grace period' the employee will be given priority hiring status within their regular department. When applying for positions outside of their regular area preferential consideration in hiring will be granted.

**Absenteeism/Illness:**

Employees who are ill must report to the supervisor they are working for while on modified duty.

**Concerns/Problems:**

Employees are to contact the W.C. Coordinator should they have any questions.

Manatts, Inc.  
PO Box 535  
Brooklyn, IA 52211

**MODIFIED DUTY PARTICIPATION AGREEMENT**

Date: \_\_\_\_\_ Department: \_\_\_\_\_

Employee: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Job Title: \_\_\_\_\_

The above named employee may work with restrictions  
as determined by:

Dr. \_\_\_\_\_ (see attached document)

Modified duty:

I have been advised  
that restrictions have  
been placed on my ac-  
tivity while performing  
duties within the scope  
of my employment with  
Manatts, Inc., I have  
read and understand the  
restrictions. I have had  
the opportunity to dis-

cuss the restrictions and Modified Duty reassignment. I understand that it is my responsibility to comply with these restrictions and that if I am asked to perform tasks which would violate these restrictions, I will immediately advise my supervisor and the Workers' Compensation Coordinator.

I have read and understand the Modified Duty Program Policy and Procedures and accept the conditions therein.

I understand that I am subject to all Manatts, Inc., employ-





# Personnel Policies & Practices

## **PERSONAL APPEARANCE**

It is important that our employees see and present themselves as professionals. A key element is how they dress and their personal grooming. You could be called upon to meet with customers or have visitors in your work area, so how you look to others is important and reflects on the image of the Company. If your job involves meeting with customers on a regular basis, your clothing should be clean and presentable at all times.

Employees working at construction sites or plants are not allowed to wear shorts or cut-off pants. Substantial leather shoes or boots are to be worn at construction sites and at plants. Tennis shoes are not considered substantial. All field employees are expected to dress in a fashion which fully complies with Manatts Safety rules which is a part of this employee manual.

## **WORKING HOURS**

Working hours in the highway construction industry will vary greatly depending on various factors, especially weather conditions. Employees are to check with their supervisors and follow their instructions regarding reporting hours. Long working hours during the summer construction season are expected and employees who refuse to work overtime hours shall be subject to discipline of up to, and including, discharge.

Hourly employees should be aware that inclement weather conditions can cause project delays or cancellation of work hours. It may be necessary for the employee to report to the project work site prior to being notified that such a shutdown will occur. It may also be required of the employee to remain available in case the project is started later in the day of an initial shutdown.

## **TIME CARDS**

To avoid potential trouble with employees punching other employee's time cards, it is prohibited for one employee to punch in or out another employee's time card. Some locations may handle time cards with handwritten records and, therefore, this policy may not apply to such operations. Any employee who tampers with another employee's time card will be subject to discipline, of up to and including, discharge.

It will be the responsibility of each employee to record their hours on their own time card in the absence of a time clock. Every time card must be properly and completely filled out including name, dates, and times. These time cards must be turned in to your supervisor each day. Your supervisor will instruct you regarding what additional information is required on your time card.

## **ABSENCE POLICY**

Getting to work regularly and on time is an essential function of your job, and it is each employee's responsibility to see that he or she complies with this. When illness prevents you from working or when you must be absent for another good reason, you must notify your immediate supervisor within 30 minutes after the start of your scheduled start time. Your supervisor will provide you with the appropriate telephone number. If unable to reach your immediate supervisor, you should contact the main office in Brooklyn by calling 1(800)877-1258.

If after three (3) days you have not returned to work or called your supervisor, you will be considered to have quit your employment with Manatts.

## **TELEPHONE USAGE**

Company telephones are intended to be used for Company business only! Please do not use telephones to make personal calls. It will be the Company's policy not to disturb employees on the job to receive personal calls unless there is an emergency.

**Cell Phone** calls should be limited to Company business unless the call is an emergency. Any non-business calls should be reimbursed to the Company. Personal cell phone calls should be made on an emergency basis or during a scheduled break.

## **INTERNET USAGE**

**Password/Access** Company employees who are permitted access to the INTERNET through the Company are required to adhere to the following directives:

### A. Password

Disseminating your Company password and log in information to others is forbidden as is using another's password and log in information.

### B. Access

1. E-mail sent or received by Company equipment is the property of the Company.
2. E-mail stored in a Company computer or stored by the network server after it emanates from Company equipment or password and log in information is the property of the Company.
3. The Company expressly reserves and retains the right to monitor, watch, and review all INTERNET activity generated from Company equipment or through Company password or log in information.

***Company employees who are permitted access to the INTERNET through use of Company equipment or by use of Company password or log in information have no reasonable expectation of privacy and all Company INTERNET activity may be monitored, watched, and reviewed by Company personnel.***

***The Company reserves and retains the right to use Company INTERNET information as it sees fit including legal proceedings.***

***Forbidden Activity*** The following activities are forbidden to Company employees who have access to the Company INTERNET:

- A. Employees are forbidden to give out their passwords or log in information to others.
- B. Employees are forbidden to use other employee's passwords or log in information.
- C. Employees are forbidden from using objectionable, profane, or obscene language or graphics.
- D. Employees are forbidden from sending nasty, mean, or cruel messages.
- E. Employees are forbidden from breaking any federal or state law through use of the INTERNET.

The Company retains the right to discipline any employee as the Company finds appropriate up to and including termination for any employee who violates any of the mandates in this usage policy.

### ***Restricted Material***

***Company employees using Company equipment or Company password or log in information shall not access, download, or send any text, file or picture or engage in any conference that includes material which is obscene, libelous, indecent, vulgar, profane or lewd, or advertises any product or service not permitted to minors by law, or constitutes insulting or fighting words, the very expression of which injures or harasses others or presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause material and substantial disruption of the proper and orderly routine of another individual's life.***

## **MOONLIGHTING**

Moonlighting will only be allowed with the prior approval of Company management, including your immediate supervisor and the President. Because of the seasonal nature of our type of work, permission to obtain outside employment during our working season will seldom be granted. The work requirements of Manatts, Inc., should be an employee's priority.

It is not the intent of Manatts, Inc., to control an employee's off-work activities. However, no employee will be allowed to engage in outside employment with a company which is in the same business or which in any way is a competitor.

After permission has been granted to an employee to engage in outside employment, failure of the employee to maintain a high level of work performance may lead to the rescinding of such permission and possibly subject the employee to dismissal.

Manatts, Inc., will not allow its benefits to pay for any injuries or illnesses resulting from employment with another company.

## **AGE REQUIREMENTS**

The State of Iowa Code requires that all construction workers be at least 18 years of age. This would not apply to office workers. Federal Highway Administration Regulations require that all Dump and Truck Tractor drivers be at least 21 years of age.

## **TRUCK DRIVER QUALIFICATIONS**

All Company employees who drive company vehicles which fall within the coverage of the Federal Motor Carrier Safety Regulations, must meet the qualifications of the U. S. Department of Transportation, Federal Highway Administration Safety Regulations, Part 383, requiring the possession of a current, valid Commercial Driver's License and Part 391, covering of qualification of drivers, including physical qualifications and examinations which may include substance abuse screening.

## **RESIGNATIONS**

In the event an employee wishes to terminate their employment relationship with Manatts, Inc., a two (2) week notice is requested to properly prepare necessary documents and process final paychecks. Upon separation from the Company, whatever the circumstances, all Company property, including but not limited to keys, tools, accident prevention equipment, cell phones, and credit cards must be returned to the Company immediately. Upon receipt of an employee's intended voluntary termination, the Company reserves the right to ask the employee to leave the work site immediately. Under such circumstances, the employee will receive compensation "in lieu of notice", in an amount not to exceed two weeks of pay based on a 40-hour week at the employee's straight-time rate of salary.

## **EMPLOYEE SUGGESTIONS**

Manatts encourages employees to submit any suggestions or ideas that will improve productivity, efficiency, safety, or the profitability of the Company or its employees. You are encouraged to place all your suggestions in writing and give them to your supervisor. Each suggestion will be considered for its feasibility and merit.

## **CUSTOMER COMPLAINTS**

One of the best ways to measure the success of any company is to evaluate how they respond to customer complaints. Because of the importance of such complaints, employees should immediately report such complaints to their supervisor. Employees should never engage in arguing or debating with customers. Employees should simply state that they will look into the matter and then pass the complaint on to the proper management authorities. If the customer is seeking a follow-up response, indicate that someone will get back to them and then make sure higher management is aware of this commitment. Our customers are our most important resource since without them we would have no projects, and therefore, no jobs.

Failure to treat customers with respect, courtesy, tact, and consideration may result in discipline, up to and including termination of employment.

## **HOUSEKEEPING**

Take pride in your work place site and keep it clean and orderly since dirty and disorderly conditions are the cause of many accidents.

Access to first aid kits, fire extinguishers and escape exits shall be unobstructed at all times.

Slips and falls are one of the major causes of employees' injuries, therefore, keep your work area neat, clean and free of any hazards.

Every employee's personal assistance is needed to help keep the drinking dispensers, toilets, and washrooms clean and sanitary. Please observe and practice a code of decency for the health and safety of all employees.

Housekeeping is not only important for the safety of employees, but contributes to the image we convey to the public. Your help in making our plant sites and job sites as clean and orderly as possible is most important.

## **SECURITY**

Security is very important to all of us. The lack of security can lead to great financial loss and even the loss of projects. No one is permitted on one of our construction sites without proper authorization. If you should observe someone that you are not familiar with on the job, question their presence and notify your supervisor immediately. If you should observe evidence of trespassing or forced entry, notify your supervisor immediately and law enforcement officials as soon as possible.

## **PERSONAL USE OF COMPANY EQUIPMENT OR FACILITIES**

Because of safety and liability concerns, employees will not be permitted to perform work of a personal nature with the use of Company equipment nor on Company premises. Personal use of company vehicles is also prohibited. Exceptions to this policy must have the approval of the President, or one of the Vice-Presidents of the Company.

## **PERSONAL TOOLS**

Manatts, Inc., does not carry insurance on an employee's personal tools which are used and located on Company property. Manatts does allow supervisors to identify employees who utilize a sufficient quantity of personal tools on the job to justify a shared cost of coverage of personal insurance for such tools. Usually the only way an employee can obtain such coverage is to obtain a "rider" amendment to their existing personal home owner's policy. Since every home owner's policy is different, and every employee's personal insurance coverage is different, these costs will vary. Manatts will assist certain mechanics that have been approved by their supervisor. Approved employees will bring in their paid receipts for the additional coverage and Manatts will reimburse the employee half of the cost. Personal items can only be covered if an employee has a personal liability insurance coverage rider policy, such as an Inland Marine Policy. There may be a maximum amount imposed, above which Manatts will not compensate.

## **OCCASIONAL EXPENSES PAID BY EMPLOYEE**

On occasion, it may be necessary for employees to make purchases on behalf of the Company. In such cases, the purchase must be authorized by the appropriate supervisor and the employee must obtain a dated, signed receipt which will be forwarded to the Accounting Office before reimbursement can be made. Invoices cannot be honored without the proper documentation showing the date of purchase, the department, division, plant or shop using the product ordered, the name of the employee placing the order, the identification number of the equipment on which the product will be used, the job or project number and the price. If an ordered item is not received within a reasonable length of time, or if it becomes necessary to make an exchange, the Accounting Office in Brooklyn must be notified. Since invoices are payable upon receipt, we do not want to pay an invoice on which a credit might be due.

## **MANATTS CELLULAR PHONE POLICY**

### **USE OF PERSONAL CELLULAR PHONES**

While at work, employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of Company phones. Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. A reasonable standard the Company encourages is to limit personal calls during work time to no more than one per day as needed. Employees are therefore asked to limit any other personal calls to non-work time where possible and to ensure that friends and family members are aware of the Company's policy. Flexibility will be provided in circumstances demanding immediate attention.

The Company will not be responsible or liable for the loss of personal cellular phones brought into the workplace.

### **PERSONAL USE OF COMPANY PROVIDED CELLULAR PHONES**

Where job or business needs demand immediate access to an employee, the Company may issue a business cell phone to that employee for work-related communications. In order to protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons, only. Phone logs will be audited regularly to ensure no unauthorized use has occurred.

Employees in possession of Company equipment such as cellular phones are expected to protect the equipment from loss, damage, or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (24 hours) may be expected to bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

## **SAFETY ISSUES FOR CELLULAR PHONE USE**

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use or have a personal cell phone with them are expected to refrain from using their phone while driving. ***Safety must come before all other concerns.*** Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional issues and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment will be provided to facilitate the provisions of this policy. Under no circumstances are employees allowed to place themselves or others at risk to fulfill business needs.

Violations of this policy will be subject to discipline including suspension or termination.





# EMPLOYEE RELATIONS

## **VIOLENCE IN THE WORKPLACE PREVENTION POLICY**

### **ZERO TOLERANCE**

This company has a policy of zero tolerance for violence. If you engage in any violence in the workplace, or threaten violence in the workplace, your employment will be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.

“Violence” includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to ensure that everyone associated with this business, including employees and customers, never feels threatened by any employee’s actions or conduct.

### **WORKPLACE SECURITY MEASURES**

In an effort to fulfill this commitment to a safe work environment for employees, customers, and visitors, access to the company’s property is limited to employees, those with a legitimate business interest, and DOT personnel.

### **ALL WEAPONS BANNED**

The company specifically prohibits the possession of weapons by any employee while on company property. This ban includes keeping or transporting a weapon in a vehicle in a parking area, whether public or private. Employees are also prohibited from carrying a weapon while performing services off the company’s business premises while on duty.

Weapons include guns, knives with a blade of more than 4 inches, explosives, and other items with the potential to inflict harm. Appropriate disciplinary action up to and including termination, will be taken against any employee who violates this policy.

### **INSPECTIONS**

Desks, telephones, and computers are the property of the business. We reserve the right to enter or inspect your work area including, but not limited to, desks and computer storage disks, with or without notice.

The fax, copier, and mail systems, including e-mail, are intended for business use. Personal business should not be conducted through these systems. Any private conversations overheard during such monitoring, or private messages retrieved, that constitute threats against other individuals can and will be used as the basis for termination for cause.

### **REPORTING VIOLENCE**

It is everyone’s business to prevent violence in the workplace. You can help by reporting what you see in the workplace that could

indicate that a co-worker is in trouble. You are in a better position than management to know what is happening with those you work with.

You are encouraged to report any incident that may involve a violation of any of the company's policies that are designed to provide a comfortable workplace environment. Concerns may be presented to your supervisor.

All reports will be investigated and information will be kept as confidential as possible under the circumstances.

### **CONFLICT RESOLUTION**

If you have a problem, we want to know about it. If there is something about your job that is bothering you, bring it to our attention. We realize that there can be an honest difference of opinion regarding Company policies, working conditions and a number of other areas that can cause you concern. We will make every effort to resolve your problem. But we will not be able to do anything about your problem if you do not bring it to our attention.

Here are three (3) basic steps to take to obtain a fair hearing of your concern.

Step 1. As a starter, take your concern to your immediate supervisor, explaining your problem and any proposed solution you wish to offer. Your supervisor works with you every day and knows your work and your job better than anyone else. He/she may be able to resolve your concern quickly.

Step 2. If your problem remains unresolved after discussing it with your immediate supervisor, then contact your department head or division superintendent. You may be requested to place your concern in writing at this step. You may use any letter size sheet of paper. In most cases, the Department head will take appropriate steps to resolve your problem and report back to you.

Step 3. If you are still not satisfied with the resolution of your concern, you may contact the Director of Human Resources and request a hearing with the President. During this final step, a detailed investigation will be conducted and a final resolution will be made. The President, or a designated representative, may meet with you and all interested parties in an attempt to resolve such disputes.

## DISCIPLINE POLICY

The Company expects all employees to exhibit appropriate behavior and good judgment at work. Unfortunately, there are times when employees fall short in these areas and disciplinary action must be considered. Disciplinary action may result from any violations of Company rules, inappropriate conduct, unsatisfactory performance or other matters that the Company believes make disciplinary action necessary.

While a progressive disciplinary approach may be utilized where feasible, the Company reserves the right to decide in all cases whether and to what extent disciplinary action will be imposed. Termination may result from the first incident if the Company believes that such action is warranted under the circumstances. The decision as to the form of discipline, which is at the sole discretion of the Company, will be based upon the nature and severity of the conduct, the employee's work record and all other relevant circumstances.

Disciplinary action may take any of the following forms:

Oral warning - if a progressive approach is used, this ordinarily is the first step in the process. Oral warnings will generally be documented in the employee's file.

Written warning - depending upon the nature of the conduct, or the recurrence of the same or similar conduct, a written warning may be issued. Written warnings will be documented in the employee's file.

Suspension - if the employee fails to improve after a written warning, or if the conduct requires a more severe form of initial discipline, the employee may be suspended for a period of time without pay.

Termination - depending upon the nature of the conduct, termination may be the initial form of discipline or it may be taken after any or all of the above progressive discipline steps have been taken and the required improvement has not been demonstrated.

Employees are free to resign their employment with the Company at any time and for any reason, and the Company retains the same right regarding discontinuance of employment.

On the next page is an example of a Notice of Substandard Performance which would be written on Manatts, Inc., letterhead.

EMPLOYEE EVALUATION  
NOTICE OF SUBSTANDARD PERFORMANCE

EMPLOYEE \_\_\_\_\_

DATE OF EVALUATION \_\_\_\_\_

NATURE OF VIOLATION: (circle appropriate areas needing improvement)

- 1) Substandard work performance
- 2) Carelessness
- 3) Uncooperative/Insubordinate
- 4) Poor customer relations
- 5) Poor attitude/Inattention to work duties

SUPERVISOR'S REMARKS

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ACTION TO BE TAKEN IF SUPERVISOR'S WARNING IS NOT FOLLOWED:

- 1) Reprimand
- 2) Suspension without pay
- 3) Termination

COMMENTS: \_\_\_\_\_

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SUPERVISOR'S SIGNATURE: \_\_\_\_\_

I have discussed my performance weaknesses with my supervisor and have been told what I must do to continue my employment with Manatts, Inc. I understand that if I do not adhere to the goals outlined by my supervisor, I may be suspended or terminated.

EMPLOYEE SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

## **PERFORMANCE REVIEWS**

Performance reviews by an employee's immediate supervisor are normally conducted at the end of the construction season. Such reviews are normally done in conjunction with the annual layoff. Employees who have worked for the same supervisor during the entire construction season can expect such reviews. This is the appropriate time for an employee and their supervisor to make mutually acceptable goals and objectives for the coming year. Employees who have worked for more than one supervisor during the construction season may experience difficulty in receiving such reviews. Every attempt will be made to coordinate with multiple supervisors and prepare such a review. These reviews may be considered when deciding on an employee's recall status.

## **COMPANY PUBLICATIONS**

Every regular employee should receive a copy of the Company newsletter, the MANATT MIRROR. This is normally a quarterly publication. The distribution may vary, but outside of the offices, will generally will be mailed to the employee's home.



Safety &  
Loss  
Control

## **LOSS CONTROL POLICY**

The management of this Company recognizes that loss control is an essential ingredient in our business for humanitarian, economic, and legal reasons.

Management has dedicated itself to providing the active leadership and support necessary to develop and maintain a successful loss control program with these objectives:

1. Provide a safe and healthful work environment for all employees.
2. Minimize the risk of human and economic losses resulting from unnecessary personal injury and property damage.
3. Ensure the security, protection and well-being of the personnel, property and vehicles of our Company.
4. Compliance with all existing safety and health laws that apply to the workplace.

The success of the Loss Control Program requires the full, earnest cooperation of each employee. Loss control must be considered a vital part of every job in our Company.

## **ACCIDENT REPORTING**

All accidents, no matter how slight, must be promptly reported to your supervisor and to the Insurance Department. It is always a good idea to make notes of important facts such as the time, date, location, persons injured, witnesses, damages to property or vehicles, and such details as one might forget later. If possible, obtain the names, addresses and phone numbers of non-employee witnesses. If police are called to the scene, obtain the officer's name, badge number and request copies of reports be sent to the Brooklyn Office. As soon as possible, write up a brief outline of what happened while the events are fresh in your mind. If it was a vehicle accident, diagram how the accident occurred. Date and sign any such statements and diagrams and send them to Manatts Insurance Department in Brooklyn.

## **INVESTIGATION OF ACCIDENTS AND INJURIES**

All accidents and/or injuries will be investigated as soon as possible following the incident. Such investigations will be conducted by Foremen, Supervisors, Managers, Superintendents, and/or the Director of Safety. These investigations are for the purpose of determining the cause and to make recommendations on the actions to be taken to prevent a recurrence. Such recommendations may include a written report to the Director of Safety, the President or our insurance carrier.

## **ACCIDENT PREVENTION PROGRAM**

The accident prevention program of Manatts, Inc., involves every official, supervisor, foreman, and employee performing work for this Company.

The purpose of the program is the prevention of accidents through the elimination and control of unsafe acts and unsafe conditions.

Responsibility for the accident prevention program is everybody's business, and everybody has to know it, and what to do about it.

**MANAGEMENT'S RESPONSIBILITY:** Management is responsible for the successful application of the accident prevention program. Management's designated safety representative will employ all accepted accident prevention techniques to eliminate and reduce the frequency and severity of accidents.

**SAFETY DIRECTOR'S RESPONSIBILITY:** The safety director will provide guidance for the over-all accident prevention program. He will aid all supervisors in discharging their responsibilities for accident prevention.

**SUPERVISOR'S RESPONSIBILITY:** The accident prevention program can only operate effectively with the cooperative support of key staff supervisors and superintendents. By their active interest, increased acceptance will be shown by all their subordinate supervisors.

**FOREMAN'S RESPONSIBILITY:** The foreman is the key man in the accident prevention program, since he directs the people who are actually doing the work. He must set the example and enforce procedures relating to the safety of those he supervises. The foreman is responsible for full compliance with the established management directives regarding accident prevention.

ALL EMPLOYEES' RESPONSIBILITIES: All employees shall be responsible for understanding, observing and practicing the safety standards which have been established to prevent injury to themselves and other persons, or damage to equipment and property.

## EMERGENCY PROCEDURES

### First Aid and Medical Treatment

Anytime an employee is injured on the job, no matter how slight, the incident must be immediately reported to their supervisor so as to receive initial first aid treatment. At that time, the supervisor can make a determination if further medical treatment at a medical facility is necessary.

### Fire

In case of fire, employees should remember and use the RACE formula.

R - Rescue any persons in immediate danger.

A - Alarm should be sounded immediately thereafter.

C - Confine the fire the best way possible by shutting doors.

E - Extinguish the fire with fire extinguishers and/or hoses if available. Shut off all valves or switches to stop operations.

## **TORNADO**

In case of tornado: The alarm will be sounded over the Civil Defense Alarm System. This would be a one minute blast. The following safety precautions are recommended:

If you are outside when you hear such an alarm, you should move quickly to the nearest predesignated tornado shelter facility or large well-constructed building. If there is no shelter available, then move to the nearest ditch, culvert or lowest area you can find. Highway construction workers may find the underpass of a bridge the best protection on a highway.

If you are inside, then stay inside. Move away from windows, from door openings and all exterior areas with glass. Move toward the center of the building and into small interior rooms without glass, such as rest rooms, conference rooms, and closets.

The building structure should be able to withstand the extreme wind, however, there is always the danger of wind driven glass and other debris. Remain under cover until the all-clear has sounded and the danger has passed.

## **GENERAL RULES**

Employees must not operate equipment or vehicles unless they are familiar with the operation and have been authorized to do so. A valid drivers license is required.

**IF YOU MOVE:** If you move your place of residence or change your home telephone number, please notify your supervisor as soon as possible. This is very important in case we must reach you or your family for emergencies.

**TELEPHONES:** Company telephones are to be used for Company business only, so please do not use them to make personal calls. Also, because the volume of incoming calls can easily get out of hand and upset production, it is Company policy not to allow employees to be disturbed on their jobs to receive personal calls unless there is an emergency.

**CONDITION OF EMPLOYMENT:** An employee's prime duties are involved around his job classification. However, it may also include other duties as required by his supervisor.

**PERSONAL BEHAVIOR:** In order to provide a harmonious, productive, and safe working environment, we insist that all employees adhere to common decencies. To prevent any misunderstanding about satisfactory conduct, the following rules have been made for the benefit of all employees. Failure to comply with these rules may result in disciplinary action or termination of employment.

1. Fighting, scuffling, horseplay, using abusive language, possessing weapons, threatening, or intimidating fellow employees.
2. It is our policy to promote and maintain a work environment in which all employees are treated with respect and decency. No form of discriminatory or disrespectful conduct by or toward any employee will be tolerated. All harassment, including sexual harassment, is prohibited.
3. Telling any false or malicious statements about the Company or its customers.
4. Possession, use, or sale of illegal drugs or alcohol, or reporting to work under the influence of these substances is strictly prohibited. Employees who violate these rules are subject to immediate discharge.
5. Unsatisfactory work performance.
6. Damaging or removing Company property or the property of other employees from the premises or jobsite.
7. Falsifying any Company reports, including time cards.
8. Excessive absence or tardiness or failure to observe departments working schedules.
9. Unauthorized taking or destruction of Company records or disclosing confidential Company information.
10. Failure to report any injury or accident to Company management immediately.
11. Violating Company safety, housekeeping, or sanitary rules and practices.
12. Unauthorized use of Company fuel in personal vehicles.

## GENERAL SAFETY RULES

### 1. HEAD PROTECTION

- A. Hard hats shall be worn in all required areas and any place an overhead projection or falling objects are probable.

### 2. EYE AND FACE PROTECTION

- A. Eye and/or face protection shall be provided when machines or operations present potential eye or face injury. Safety glasses, goggles, or guarding **MUST** be provided where hazards exist.

### 3. HEARING PROTECTION

- A. Hearing protection will be required when noise levels exceed an 8 hour time weighted average noise level of 85db. Machines and equipment should be identified as requiring hearing protection.

### 4. PERSONAL PROTECTIVE EQUIPMENT

- A. The foreman is responsible for requiring the wearing of appropriate personal protective equipment in all operations when needed.
- B. Employees working over or near water shall wear life jackets.
- C. A safety belt with an affixed line must be worn when climbing or working in elevated locations.
- D. Substantial work shoes will be required in all construction job activities.

### 5. FIRST AID

- A. When medical facilities are not close at hand, an employee with a Red Cross First Aid Card must be available at the jobsite.
- B. A first aid kit shall be easily accessible at each location and shall be checked weekly to ensure there are adequate supplies available.

### 6. HAND TOOLS

- A. Unsafe hand tools shall not be issued or permitted to be used.

- B. Small tools shall be used for the purpose designed. Company tools which are defective should be returned to your supervisor for repair or replacement. If tools are owned by the employee, he will be expected to discard faulty tools or have them repaired.
- C. Wooden handles shall be kept free of splinters and cracks and be kept tight in the tool. Impact tools shall be kept free of mushroomed heads.

7. AIR TOOLS

- A. Pneumatic power tools shall be secured to the hose in a manner to prevent accidental disconnection.
- B. The manufacturer's safe operating pressure shall not be exceeded.
- C. All pneumatic tools shall be inspected to ensure safe operating conditions.

8. CONVEYORS

- A. Any tail pulley, chain, or belt drive, etc., less than seven feet above ground must be guarded.
- B. Power conveyors shall have an audible warning signal that can be sounded before starting.

9. LADDERS

- A. The use of faulty or defective ladders is prohibited.
- B. Portable ladders shall be used at such a pitch that the horizontal distance from the top support to the foot of the ladder is about one-fourth ( $\frac{1}{4}$ ) of the working length of the ladder.
- C. Portable ladders in use shall be tied, blocked, or secured in some other fashion.

10. ELEVATED PLATFORMS

- A. Railings are required on catwalks and elevated platforms.
- B. All above floor level storage areas under which people pass, must be provided with a toeboard of at least four (4) inches.

11. STAIRS

- A. Every flight of stairs with four or more risers shall have railings or hand rails.
- B. On all structures 20 feet or higher, stairways, ladders, or ramps must be provided. Fixed ladders must be caged when 20 feet or longer.

## 12. ABRASIVE GRINDING

- A. All wheel bench and stand grinders shall be provided with safety guards.
- B. Floor and bench-mounted grinders shall be provided with work rests, at a distance not to exceed one-eighth inch from the surface of the wheel.

## 13. COMPRESSED GAS CYLINDERS

- A. Valve protection caps shall be in place when compressed gas cylinders are transported, moved, or stored.
- B. Valves shall be closed when work is finished and when cylinders are empty or are moved.
- C. Cylinders shall be secured in an upright position at all times.
- D. Cylinders shall be kept at a safe distance from other welding or cutting operations.
- E. On the jobsite, cylinders must be stored with either a 25 foot or 1 hour of fire separation between them and the welding.

## 14. WELDING

- A. Proper precautions for fire prevention shall be taken in areas where welding or other "hot work" is being done.
- B. Welding and cutting operations shall be shielded to protect employees from direct ARC rays.
- C. Where welding or cutting is being performed in confined areas, the fumes must be vented away from the welder or anyone else in the area.
- D. Defective cables shall be repaired or replaced.

## 15. FIRE EXTINGUISHERS

- A. Fire extinguishers are provided in many areas such as buildings, on equipment, in vehicles, and at fuel points.
- B. Notify your supervisor of any missing, damaged, or empty fire extinguishers so they can be repaired or replaced.
- C. Know where fire extinguishers are located and how to use them.
- D. Read instructions beforehand - at the time of the fire is not the time to be reading instructions.

16. FLAMMABLE AND COMBUSTIBLE LIQUIDS

- A. Only approved containers and portable tanks shall be used for storage and handling of flammable and combustible liquids.
- B. No more than 25 gallons of such material shall be stored in a room outside an approved storage cabinet.
- C. Flammable liquids shall be kept in closed containers when not in use.
- D. Conspicuous and legible signs reading, "NO SMOKING OR OPEN FLAMES," shall be posted in service and fueling areas.

17. LP GAS

- A. Each system shall have containers, valves, connectors, manifold valve assemblies, and regulators of an approved type.
- B. Every container shall be provided with at least one approved safety relief valve or device.
- C. Containers shall be stored on a firm foundation or otherwise firmly secured.
- D. Portable heaters shall be equipped with an approved automatic device to shut off the flow of gas in the event of a flame failure.
- E. Storage of LPG in buildings is prohibited.

18. STORAGE

- A. Materials stored in tiers will be secured to prevent sliding, falling, or collapse.
- B. Aisles and passageways shall be kept clean.
- C. Materials shall not block exits.
- D. Materials shall be stored with due regard to their fire characteristics.

19. ELECTRICAL

- A. Fixed equipment shall be grounded and portable tools protected by an approved system of double insulation or its equivalent.
- B. Extension cords used with portable electric tools shall be the 3-wire type.
- C. Exposed bulbs, when not deeply recessed in the reflector, will be guarded.
- D. Each electrical box will be clearly marked to indicate its purpose.
- E. All 120 volt 15 and 20 amp outlets on construction sites shall have ground fault circuit interrupters for personal protection.

20. COMPRESSED AIR

- A. Compressed air used for cleaning purposes shall not exceed 30 psi.
- B. When using compressed air, personal protective equipment, such as safety glasses, face shields, dust masks, hearing protection, etc., may be necessary.

21. TIRE CAGES

- A. A safety tire rack, cage, or equivalent protection shall be provided and used when inflating tires on split rims.

22. WIRE ROPES, CHAINS, ROPES

- A. All rigging equipment shall be inspected prior to use, to ensure safety. Defective gear shall not be used.
- B. Job or shop hooks and links, or makeshift fasteners formed from bolts, rods, etc., shall not be used.

23. BATTERY CHARGING

- A. Face shields, aprons, and rubber gloves shall be worn.
- B. Facilities for washing eyes with water or solutions should be available.
- C. Facilities for fire prevention will be provided and no smoking or sparks are allowed in the area.
- D. Battery charging shall be done in specified areas, where there is no smoking allowed.
- E. When charging batteries, the vent cap will be in place and in operation.

24. DRINKING WATER

- A. An adequate supply of drinking water shall be provided.
- B. Water containers shall be capable of being tightly closed, and be equipped with a tap.
- C. Common drinking cups are prohibited.

25. WASHING FACILITIES

- A. Washing facilities shall be provided for employees.

26. TOILETS

- A. Toilets shall be provided for employees, or transportation made available to the nearest facility.

27. DRIVERS - *Construction projects are often congested areas with limited space and access. Much care and alertness must be used at all times in your driving responsibilities.*

- A. Only qualified drivers or those authorized by management are allowed to drive Company vehicles.
- B. A valid chauffeur's license is required to drive vehicles with a gross vehicle weight over 10,000 lb.
- C. Check with dispatch before driving without a chauffeur's license.
- D. Obey all traffic rules and regulations.
- E. Seat belts must be worn during operation of vehicles.
- F. Unauthorized riders are prohibited.
- G. Do not drive in driveways, on sidewalks, or curbs, unless authorized to do so.
- H. Do not tailgate or follow too close to vehicles or equipment.
- I. Always be alert for overhead obstructions or power lines when raising boxes or hauling over height loads.
- J. Keep tailgates tight and clean off lips and other surfaces where materials can accumulate. Prevent materials from blowing or falling off while driving. Tarp loads if necessary.
- K. Do not jump out of or off equipment or vehicles. Use the three point system for climbing into or out of vehicles or equipment.
- L. Vehicles must be inspected daily to assure safe operation. Check brakes, lights, steering, and clean windows, mirrors, etc.
- M. In case of accident, refer to Accident Reporting Section in the "Safety and Loss Control" section .
- N. Any driver who is cited for driving under the influence may not drive a Company vehicle for a period of one (1) year from the date of the conviction.

28. MOTOR VEHICLES AND MECHANIZED EQUIPMENT

- A. All vehicles shall be inspected each day, to make sure brakes, lights, steering, and all other parts, equipment, and accessories affecting safe operation, are free from defects and in safe operating condition.
- B. All vehicles shall be equipped with back-up alarms when visibility to the rear is obstructed.
- C. All vehicles with cabs shall have a fire extinguisher.
- D. Bulldozer and scraper blades, endloader buckets, dump bodies, and similar equipment shall be either fully lowered or blocked during maintenance, inspection, or when not in use. All controls shall be in neutral position with motors stopped and brakes set, unless work being done requires otherwise.
- E. When equipment has rollover protection, seat belts must be worn while in operation.

29. TRAILERS

- A. All equipment or materials hauled on trailers must be tied down or made secure before moving.
- B. Inspect the pintle hitch and safety latch, and check lights to make sure they are working.
- C. All trailers must be equipped with safety chains and must be hooked to the towing vehicle in a secure manner.

30. ROLLOVER PROTECTION STRUCTURES - ROPS

- A. All rubber-tired, self-propelled scrapers, rubber-tired front end loaders, rubber-tired dozers, wheel-type agricultural and industrial tractors, crawler-type loaders, and motor graders, with or without attachments, that are used in construction work, must have ROPS.

31. EXCAVATING AND TRENCHING

- A. Before opening any excavation, efforts shall be made to determine if there are any underground utilities in the area.
- B. The walls and faces of all excavations and trenches in which employees are exposed to danger from moving ground, shall be guarded by a shoring system, sloping of the ground, or some other means.
- C. All materials shall be stored and retained at least two feet from the edge of a trench.
- D. Daily inspections of excavating shall be made to ensure a safe excavation.
- E. Trenches more than four feet deep shall have ladders or steps located no more than 25 feet apart.

32. FLAGPERSONS-(Updated 4/12/07)

- A. Flagpersons will be provided when needed to ensure safe traffic control.
- B. Flagpersons shall wear an ANSI 107 Class 2 vest, shirt or jacket; and a soft cap meeting ANSI 107 headwear requirements. A hard hat in the same colors shall be worn while flagging in all required areas and any place an overhead projection or falling objects are probable.
- C. Flagpersons shall be provided with a handbook and given instructions as to their responsibilities.

33. CRANES

- A. The employer shall comply with the manufacturer's specifications and limitations applicable to the operations of cranes.
- B. Rated load capacities and recommended operation speeds, special hazard warnings, or instructions shall be conspicuously posted on all equipment.
- C. The employer shall designate a person who will inspect all machinery and equipment prior to each use and during use, to make sure it is in safe operating condition.
- D. Monthly inspections will be made by a qualified person. Records of inspection for all hoisting machinery must be kept, monthly.
- E. Cables will be replaced according to 1926.550 (7) OSHA Standards. All belts, gears, shafts, pulleys, sprockets, etc., will be guarded. Exhaust pipes will be guarded if located where they might be touched.
- F. A fire extinguisher of 10 B.C. rating shall be available

### 34. RIDING OF EQUIPMENT - PROHIBITED

- A. Due to the type of equipment used in the construction industry, which is designed to perform a specific purpose, employees are prohibited from riding equipment unless it is specifically designed to carry passengers.
- B. Rollers, pavers, brooms, loaders, tractors, graders, dozers, the outside of vehicles, such as running boards of trucks, and any other piece of equipment not designed to haul people, shall not be used to move employees from one part of the job site to another.
- C. Operators of equipment being used improperly to haul employees, as well as the offending employee, will be removed from the safety incentive program for violations of this policy.
- D. A second violation of this policy will result in suspension or termination.

## TAMA DREDGE

### 1. SAFE ACCESS

- A. Safe access to water and to the dredge must be maintained.
- B. Obstructions shall not be laid on or across the gangway.
- C. Decks and other working surfaces shall be maintained in a safe condition.
- D. Employees shall not be permitted to pass fore and aft, over, or around deck-loads, unless there is safe passage.
- E. Safe access to water pump (i.e., hand railing, good steps, etc.) are necessary.

### 2. LIFE PRESERVERS

- A. Employees working over or near water, where the danger of drowning exists, shall be provided with U. S. Coast Guard approved life jackets.
- B. Prior to and after each use, the life preservers shall be inspected for defects which would alter their strength. Defective units shall not be used.
- C. Ring buoys with at least 90 ft. of line shall be provided and readily available for reserve operation. They should not be over 200 ft. apart.
- D. At least one lifesaving skiff shall be immediately available at locations where employees are working over or adjacent to water.

## CONCRETE PLACEMENT

1. Concrete itself is a relatively safe building material, however, dangers exist due to its extreme weight, chemical make-up, and placement hazards.

2. At close to two (2) tons per cubic yard, injuries from lifting, off balance shoveling, etc., can often result in muscle strain, back injuries, or hernias.

3. Chemical burns from cement are a very common occupational disease in construction. Avoid these burns by wearing long pants and high boots to protect the tender skin of the legs and ankles. Protect your eyes from concrete splash with safety glasses. Avoid prolonged contact with cement saturated gloves and clothing. If your skin is exposed, wash it thoroughly, as soon as possible. Concrete burns can be dangerous, get medical help quickly.

4. When unfolding or adding chutes, keep your fingers from between the hinged sections to prevent them from being smashed or severed.

5. Don't electrocute yourself - be watchful for overhead wires. Don't use conductive handles on bull floats where electrical hazards exist. Keep electrical vibrators and power tools in safe operating condition.

6. Drivers and concrete workers must always be alert for backing vehicles. Trucks being backed up must be under the direction of a signal person. Drivers should stop when contact with the signal person is lost.

## CONSTRUCTION AND PAVING CREWS

### 1. CONCRETE PLACEMENT

- A. There will be guards on open moving parts.
- B. The dump man and all personnel working in front of paving machines must wear hard hats and protective glasses.

### 2. FORM SETTER

- A. Form trucks should be inspected daily; brakes, hoist operation, booms, and cables.
- B. Personnel working in or around form trucks; pulling, loading, and setting forms, must wear hard hats or other safety equipment as advised.
- C. When manual lifting is necessary, forms should be handled by at least two persons.

### 3. CONCRETE SAWING

- A. The saw operator must wear safety glasses at all times.
- B. The saw must have belt guards, blade guards, and a tall exhaust stack.
- C. Breathing masks should be worn at all times that dust is present.

### 4. SEALING JOINTS

- A. The operator of the air compressor for blowing joints should wear a mask and protective glasses or face shields.
- B. All air hoses must be inspected before each operation to make sure they are in good repair.

### 5. PAVEMENT BREAKER OPERATION

- A. Pavement breakers should be inspected to make sure all cables are good, have good brakes, and controls are working right.
- B. The operator must wear a hard hat and protective glasses.

### 6. JACK HAMMER

- A. Jack hammers should be inspected to make sure they are in good condition and have good bits and all good hose connections.
- B. When operating jack hammers, hearing and protective eye wear must be worn.

## 7. ALL MACHINERY

- A. All machinery should be inspected on a daily basis for brakes, steering, and hoses, and should be kept in good working order.

## 8. SCRAPERS AND GRADERS

- A. Scrapers and graders should be inspected for steering, brakes, and lights and each one should have a slow moving vehicle sign attached.

## ASPHALT PLACEMENT

1. Employees involved in the handling and use of hot mix asphalt must understand the hazards associated with the product. The main hazard is the temperature of 325°F. Contact with the product can cause severe burns.

2. Wearing of long sleeved shirts and pants is recommended for most operations. Substantial work shoes are required. Avoid breathing of vapors for extended periods of time.

3. Workers must always be alert for backing vehicles.

4. Trucks being backed up must be under the direction of a signal person. Drivers should stop when contact with the signal person is lost.

5. Employees must always be alert and careful not to step out into moving traffic which often is very close.

## LOADING AND UNLOADING OF EQUIPMENT ON A LOWBOY

### 1. PRIOR TO LOADING

- A. Clear the lowboy deck of all debris.
- B. Examine the lowboy deck for any weak or hazardous areas and repair before using.
- C. Check to be certain that the deck is dry at all times before using.
- D. Clear the immediate area of all unnecessary personnel and on-lookers.
- E. Inspect the ramps to ensure they are set properly and are secure.
- F. Inspect the wheels or tracks of equipment to be loaded, making sure they are dry and free of debris, whenever this is at all possible.

### 2. DURING LOADING

- A. With extremely wide items of equipment, a second party needs to be employed to assist in directing the loading.

### 3. AFTER LOADING

- A. Secure all equipment by chain and binders, to protect against shifting or falling from the vehicle.
- B. Drive a short distance then recheck all chains and binders for security.
- C. Proper signs or placards are required on oversize loads.
- D. Proper permits must be obtained for oversize loads.
- E. All requirements of the permits must be followed.

NOTE: Loading equipment onto a lowboy is very specialized work.



# Policies Required by OSHA

**CONFINED SPACES ENTRY PROGRAM**  
**FOR MANATTS, INC.**

Confined spaces are a very common and VERY DANGEROUS part of many workplaces. A confined space is defined as an area that is hard to get into and to get out of. They are not designed to be continually occupied by humans; poor ventilation and other hazards in these areas can threaten your life. If you know the risks, and follow careful safety procedures, confined spaces won't prove dangerous to you.

Manatts, Inc., has various areas that can be classified as confined spaces; tanks, material bins, cement tankers, and sewer jobs, are some areas of confined spaces.

There are four major dangers in confined spaces:

1. Oxygen Deficiency
2. Combustibility
3. Toxicity
4. Physical Hazards

I. **PREPARE CAREFULLY BEFORE YOU ENTER:**

- A. Know what substance was previously kept in the space and test carefully for those dangers.
- B. Wear the protective equipment prescribed for the expected hazard.
- C. Check out and follow the required procedures for doing the job in the confined space.
- D. Clean the space before entering, if possible.
- E. Use only safe, grounded, explosion proof electrical equipment.
- F. Use ventilating equipment.
- G. Cut off, according to Company procedures, steam, water, or fume causing agents, such as gas or power lines that are coming into the confined space.
- H. Use lockouts and tags to protect against accidental startup of any equipment while you're in the confined space.
- I. Get an entry permit or permission from your supervisor before entering. Post the permit to warn others you are inside.

II. TEST THE AIR IN THE CONFINED SPACE.

- A. Test for oxygen and combustibility.
- B. Test the air from top to bottom and all corners and spaces where gas may accumulate.
- C. Test for toxicity.
- D. If pretests find any risks in the confined space, check with your supervisor - clean, ventilate, and test again.
- E. Continue to test at frequent intervals or if something seems unusual.

III. HAVE A BUDDY OUTSIDE TO HELP YOU. NEVER ENTER A CONFINED SPACE WITHOUT SOMEONE BEING OUTSIDE TO HELP YOU.

- A. Have a lifeline or body harness attached to you which could be used to pull you out, if necessary.
- B. The person on the outside should be trained in first aid, safety equipment and CPR, or be prepared to get help fast.
- C. Persons on the outside should remain outside at all times; a third person should be within hailing distance.
- D. Have the person on the inside signal periodically so person on the outside knows he's okay.

IV. KEEP ALERT AT THE FIRST SIGN OF DIZZINESS, DIFFICULTY BREATHING OR ANYTHING, LEAVE IMMEDIATELY OR CALL FOR HELP. REPORT PROBLEM TO YOUR SUPERVISOR. CONTINUE TO PLAY IT SAFE WHILE YOU'RE IN THE SPACE.

- A. Keep ventilating the area with clean make up air.
- B. Keep testing for oxygen deficiency.
- C. Wear your respirator.
- D. Wear all required safety equipment; hat, goggles, ear plugs, protective clothing, safety shoes, etc.
- E. Take all equipment you need for the job when you enter the area.
- F. Don't smoke or eat.
- G. Finish the job as quickly as possible, and get out.

- V. IF YOU MUST RESCUE SOMEONE IN A CONFINED SPACE:
- A. Remove victim, with harness and ropes rather than going into area yourself.
  - B. Get more help before going in to rescue someone. Don't even try if you're not trained or equipped.
  - C. Wear respirator and protective clothing.
  - D. Make sure ventilation equipment is operating.
    - a. Once victim is out, give artificial respiration, if necessary.
    - b. Get emergency medical help.
    - c. Close the area off.

EXPECT THE UNEXPECTED  
and be prepared to act quickly.

# **HAZARD COMMUNICATION PROGRAM**

## **PURPOSE**

The purpose is to ensure that all employees are informed of workplace safety and health hazards.

## **FUNDAMENTALS**

Methods used to ensure employees are informed will be:

1. Container labeling.
2. Material Safety Data Sheets. (MSDS)
3. Employee education and training.

## **APPLICATION**

The program applies to:

1. Known safety and health hazards.
2. Chemicals known to be present in the workplace.

## **IDENTIFY HAZARDS**

The Company identifies workplace safety and health hazards by:

1. Material Safety Data Sheets provided by the chemical manufacturers and distributors.
2. Information provided by machinery and equipment manufacturers.
3. Safety and health codes and regulations.
4. Company job surveillance of product use and reports.

## **MATERIAL SAFETY DATA SHEETS (MSDS)**

MSD sheets are written documents concerning chemical hazards prepared and distributed by chemical manufacturers and distributors. The Company maintains an MSDS file for the hazardous chemicals used by employees.

Contents of MSD sheets include:

1. The identity of the chemical.
2. Physical and chemical characteristics.
3. Physical and health hazards.
4. Primary routes of entry.
5. Exposure limits.
6. Precautions and controls.
7. Emergency and first aid procedures.
8. Name of manufacturer or importer.

Employees may review their MSD sheets by contacting their immediate supervisor. They will be accessible during normal working hours.

The Company maintains a list of hazardous chemical MSDS's. This list will be posted at the Main Office and other locations where bulletin boards are located.

The Company is concerned about job safety and health and solicits employee assistance in determining safety and health hazards.

#### **TRAINING**

Initial training and implementation will take place on the job. Handout materials and record of attendance will be included in the training.

New employees must receive appropriate safety and health information, education and training during their initial job assignment.

Retraining is necessary when:

1. New chemicals are introduced into the workplace.
2. Processes or equipment changes cause new or additional exposure.
3. Employees are transferred to another work area where different hazards are present.

Special emphasis must be made in tasks where exposures may be unknown.

#### **LABELS**

Chemical containers must be labeled and must contain:

1. Identity of the chemical.
2. Appropriate hazard warning.
3. Name and address of manufacturer or importer.

Labels must not be defaced in any way. Undetectable labels must be reported immediately to your supervisor.

#### **CONTRACTORS**

Subcontractors must be notified of workplace hazards and exposures. Subcontractors must comply with all safety standards and also ensure that their operations do not increase our employee exposure to additional hazards.

## WHAT IS LOCKOUT/TAGOUT?

LOCKOUT is usually a padlock arrangement that secures a valve or lever in the off position.

TAGOUT means placing a tag on the power source to warn others not to turn it on. Tags must be treated like locks and must not be removed without authorization.

## LOCKOUT/TAGOUT POLICY

Lockout/tagout procedures cover SERVICING AND MAINTENANCE of MACHINES AND EQUIPMENT in which expected energizing or starting up or a release of stored energy could cause injury to employees.

Protect yourself and your co-workers. Follow these lockout/tagout procedures any time you clean, repair, service, inspect or clear equipment.

1. NOTIFY OTHERS that you're beginning a lockout/tagout procedure, and why.
2. TURN OFF equipment and disconnect the energy source.
3. LOCKOUT OF energy sources is preferred.
4. TAGOUT, if lockout is not possible.
5. ADDITIONAL PROCEDURES include disconnecting, capping of controls, switches, lines and valves or blocking of moving parts.
6. CHECK Attempt to start the equipment before doing any work to make sure it is properly locked out and energy dissipated.
7. Make sure others are safe, guards are in place, tools, locks and tags are removed BEFORE RESTORING ENERGY. Notify others it is being returned to service.
8. SPECIFIC LOCKOUT/TAGOUT Each piece of equipment is to have a specific written lockout/tagout procedure.
9. REVIEW Each written lockout/tagout procedure shall be reviewed annually, updated as needed, and documented.

**(updated 6/27/06)**

# GUIDE TO LOCKING OUT A TRUCK MIXER

DEVELOPED FOR MANATTS, INC.

## INTRODUCTION

These general guidelines are to be used before entering a mixer drum. A mixer drum is to be entered only when it becomes necessary to inspect it, chip old concrete out, or to reblade the drum.

## GUIDELINE

1. Begin lockout. Notify affected person(s).
2. Park truck in appropriate area and set brakes. Place "Out of Service" placard on vehicle.
3. Isolate energy source(s)
  - 1.2.1. Remove ignition key and keep in pocket -or-
  - 1.2.2. Disconnect batteries -or-
  - 1.2.3. Relieve air for air starting system -or-
  - 1.2.4. Other methods as necessary for type of truck
4. Lock or tag all mixer controls
5. Secure drum to prevent rotation
6. Verify that energy source(s) is (are) disabled
7. Open access doors (hatch) to drum
8. Place ventilating fan at charge hopper if needed
9. Assemble personal protective equipment - hard hat, respirator, goggles, hearing protection, long sleeve shirt (coveralls), gloves, other equipment as necessary
10. Assemble necessary tools and equipment
11. Complete job
12. If drum must be repositioned, and lockout condition interrupted, clear the area, energize vehicle, rotate drum and go back to No. 3
13. Inspect drum, remove tools and supplies
14. Check for other employees; notify affected employees that equipment is being returned to service.
15. Remove drum securing devices
16. Remove locks/tags/placards
17. Notify appropriate persons vehicle returned to service

## BLOOD BORNE PATHOGENS POLICY MANATTS, INC.

OSHA has introduced a new standard on BLOOD BORNE pathogens that became effective March 6, 1992. While the main thrust of this standard is aimed at workers in health care facilities, our first-aiders are also included. It is becoming increasingly more important to protect all employees against BLOOD BORNE pathogens, such as hepatitis B and HIV.

BLOOD BORNE pathogens are microorganisms in human blood that can cause disease in humans, and they include but are not limited to hepatitis B (HBV) and human immunodeficiency virus (HIV) which causes AIDS. Potentially infectious material referred to in this regulation includes the following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids.

The OSHA standard covers employees who may be reasonably anticipated to come in contact with human blood and other potentially infectious materials in order to perform their jobs. This includes employees trained in first aid, or any person who may come in contact with a body fluid during the course of their employment.

### METHODS OF COMPLIANCE

1. Hand washing. Hand washing facilities are to be provided and employees are to thoroughly wash their hands and any other skin with soap and water immediately or as soon as possible following contact with blood or other potentially infectious materials, and when gloves and other personal protective equipment are removed.
2. Bandages. It is our interpretation that band-aids and other small bandages do not constitute infectious waste and can be disposed of in the normal manner. However, a serious bleeding case where there is dripping blood resulting in blood-soaked materials, would be considered infectious waste and would require proper safeguards for disposal.

3. Food. In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, eating, drinking, smoking, applying cosmetics or lip balm, handling contact lenses, and storage of food and drinks are prohibited.

4. Personal Protective Equipment. Appropriate personal protective equipment such as disposable gloves, gowns, lab coats, face shields or masks, eye protection, mouthpieces, resuscitation bags, are to be furnished and used as necessary to protect the employee from blood or other potentially infectious materials reaching the employee's clothes, skin, eyes, mouth, or other mucous membranes under normal conditions of use.

Common sense must be used in determining when to use gloves (disposable only) and other protective wear. The rule of thumb is that when it can be reasonably anticipated that the employee may have contact with blood or other potentially infectious materials, the proper protective wear is to be worn. All personal protective equipment will be cleaned, laundered, repaired, replaced and disposed of by Manatt's with no cost to the employee.

To make sure that this equipment is used as effectively as possible, our employees adhere to the following practices when using their personal protective equipment:

A. All garments which are penetrated by blood shall be removed immediately or as soon as feasible.

B. All personal protective equipment will be removed prior to leaving the work area.

C. Contaminated clothing should be placed in an approved hazardous waste bag or if none is readily available in a clean plastic bag. The bag will be sealed and properly marked.

The employee will wash all affected body parts thoroughly.

D. Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes. Gloves will be available in the first aid supply kit.

E. Disposable gloves are not to be washed or decontaminated for re-use and are to be replaced as soon as practicable when they become contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised.

F. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

G. Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, are required to be worn whenever splashes, spray, splatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonably be anticipated.

5. Housekeeping. Care must be taken that the sinks, work tables, etc. at the worksite or shop area are cleaned and disinfected immediately after being contaminated with blood or other potentially infectious material. Also, any location on the job where an injury could have caused bleeding on equipment or the floor must be immediately cleaned and disinfected.

Equipment which has become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary unless the decontamination of the equipment is not feasible. A 10 to 1 solution of water and bleach will be used to clean the equipment.

All bins, pails, cans, and similar receptacles shall be cleaned, inspected and decontaminated as soon as possible if visibly contaminated. Potentially contaminated broken glassware is picked up using mechanical means (such as dustpan and brush, tongs, forceps, etc.).

**HEPATITIS B VACCINATION**  
**POST-EXPOSURE EVALUATION AND FOLLOW-UP**

Everyone in our company recognizes that even with good adherence to all of our exposure prevention practices, exposure incidents can occur. As a result, we have implemented a Hepatitis B Vaccination Program, as well as set up procedures for post-exposure evaluation and follow-up should exposure to BLOOD BORNE pathogens occur.

**A. VACCINATION PROGRAM**

All employees who have been identified as having exposure to blood or other potentially infectious materials will be offered the Hepatitis B vaccine, at no cost to the employee. The vaccine will be offered within 10 working days of their initial assignment to work involving the potential for occupational exposure to blood or other potentially infectious materials unless the employee has previously had the vaccine or who wishes to submit to antibody testing which shows the employee to have sufficient immunity.

Employees who decline the Hepatitis B vaccine will sign a waiver. A copy of the waiver used by Manatts accompanies this policy. Employees who initially decline the vaccine but who later wish to have it may then have the vaccine provided at no cost.

MANATTS, INC.  
HEPATITIS B VACCINE DECLINATION

Date: \_\_\_\_\_

Employee Name: \_\_\_\_\_

Employee Number: \_\_\_\_\_

I understand that due to my occupational exposure to blood or other potentially infectious materials, (including untreated sewage) I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine at no expense to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

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

Date \_\_\_\_\_

Employer Witness \_\_\_\_\_

Date \_\_\_\_\_

## HEPATITIS B POST-EXPOSURE EVALUATION AND FOLLOW-UP

When an employee incurs an exposure incident at a Manatts, Inc., worksite, it should be reported to the Safety Department as soon as possible. All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard.

The follow-up will include:

1. Documentation of the route of the exposure and the circumstances related to the incident.
2. If possible, the identification of the source individual and the status of the source individual. The blood of the source individual will be tested (after consent is obtained) for HIV/HBV infectivity.
3. Results of testing of the source individual will be made available to the exposed employee with the exposed employee informed about the applicable laws and regulations concerning disclosure of the source individual.
4. The employee will be offered the option of having their blood collected for testing of the employees HIV/HBV serological status. The blood sample will be preserved for up to 90 days to allow the employee to decide if the blood should be tested for HIV serological status. However, if the employee decides prior to that time that testing will or will not be conducted then the appropriate action can be taken and the blood sample discarded.
5. The employee will be offered post-exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service. These recommendations are currently as follows:

*The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to appropriate personnel.*

## INFORMATION PROVIDED TO THE HEALTH CARE PROFESSIONAL

To assist the Health care professional we will forward a number of documents to them, including the following:

- A copy of the BLOOD BORNE Pathogens Standard.
- A description of the exposure incident.
- The exposed employee's relevant medical records.
- Other pertinent information.

### HEALTH CARE PROFESSIONAL'S WRITTEN OPINION

After the consultation, the Health care professional provides our facility with a written opinion evaluating the exposed employee's situation. We, in turn, furnish a copy of this opinion to the exposed employee.

With emphasis on confidentiality, the written opinion will contain only the following information:

1. Whether Hepatitis B Vaccination is indicated for the employee.
2. Whether the employee has received the Hepatitis B Vaccination.
3. Confirmation that the employee has been informed of the results of the evaluation.
4. Confirmation that the employee has been told about any medical conditions resulting from the exposure incident which require further evaluation or treatment.

All other findings or diagnoses will remain confidential and will not be included in the written report.

## MEDICAL RECORD KEEPING

Medical records must remain confidential. They will be kept in a separate medical records file in the risk manager's office. Records must be maintained for the duration of employment plus 30 years in accordance with OSHA's standard on access to employee exposure and medical records.

The following information will be maintained on the medical records:

1. Name of the employee.
2. Social security number of the employee.
3. A copy of the employee's Hepatitis B Vaccination status.
  - Dates of any vaccinations.
  - Medical records relative to the employee's ability to receive the vaccinations.
4. Copies of the results of the examination, medical testing and follow-up procedures which took place as a result of an employee's exposure to BLOOD BORNE pathogens.
5. A copy of the information provided to the consulting Health care professional as a result of any exposure to BLOOD BORNE pathogens.

MANATTS  
EXPOSURE INCIDENT INVESTIGATION FORM

Name of Employee Involved in Exposure \_\_\_\_\_

\_\_\_\_\_

Name of Employee's Supervisor \_\_\_\_\_

\_\_\_\_\_

Date of Incident \_\_\_\_\_ Time of Incident \_\_\_\_\_

Potentially Infectious Materials Involved \_\_\_\_\_

\_\_\_\_\_

Source \_\_\_\_\_

\_\_\_\_\_

Circumstances (Type of work being performed) \_\_\_\_\_

\_\_\_\_\_

How Incident Was Caused (accident, equipment malfunction,  
etc.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Personal Protective Equipment Being Used

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Actions Taken (decontamination, clean-up, reporting, etc.)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Recommendations for Avoiding Repetition

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MANATTS POST-EXPOSURE EVALUATION  
AND FOLLOW-UP CHECKLIST

The following steps must be taken, and information transmitted, in the case of an employee's exposure to BLOOD BORNE Pathogens:

Employee furnished with documentation regarding exposure incident. \_\_\_\_\_

Source individual identified. \_\_\_\_\_  
( \_\_\_\_\_ )  
SOURCE INDIVIDUAL

Source individual's blood tested and results given to exposed employee. \_\_\_\_\_

Consent has not been able to be obtained. \_\_\_\_\_

Exposed employee's blood collected and tested. \_\_\_\_\_

Appointment arranged for employee with Health care professional. \_\_\_\_\_  
( \_\_\_\_\_ )  
PROFESSIONAL'S NAME

Documentation forwarded to Health care professional. \_\_\_\_\_

BLOOD BORNE Pathogens Standard. \_\_\_\_\_

Description of exposed employee's duties. \_\_\_\_\_

Description of exposure incident, including routes of exposure. \_\_\_\_\_

Results of source individual's blood testing. \_\_\_\_\_

Employee's medical records. \_\_\_\_\_

## INFORMATION AND TRAINING

Training for all employees will be conducted prior to initial assignment to tasks where occupational exposure may occur. Training will be conducted in the following manner:

The training sessions will be conducted during regular work time at no cost to the employees. Employees will be re-trained annually to keep their knowledge current. Additionally, all new designated employees, as well as employees changing jobs or job functions will be given any additional training their new position requires at the time of their new job assignment.

### TRAINING TOPICS

Training for employees will include the following explanations of:

1. The OSHA standard for BLOOD BORNE Pathogens.
2. The symptoms of BLOOD BORNE disease.
3. The modes of transmission of BLOOD BORNE pathogens.
4. Explanation of the exposure control plan such as main points of the plan and the implementation of the plan.
5. Procedures which might cause exposure to blood or other potentially infectious materials at jobsites, plants, or shops.
6. Control methods which will be used at the jobsite, plant, or shop to control exposure to blood or other potentially infectious materials.
7. Personal protective equipment available at the jobsite, plant, or shop and who should be contacted concerning it.
8. Post-exposure evaluation and follow-up.
9. Hepatitis B vaccine program at Manatts.

## RECORD KEEPING

All medical records required by the OSHA standard will be maintained by the Safety and/or the Personnel Department. Included will be information relative to the Hepatitis B vaccination as well as post-exposure evaluation and follow-up. These records are to be considered confidential.

Training records will include:

Dates of training.

Summary of training content.

Names and qualifications of trainer.

Names and job titles of all attendees.

It is the goal of Manatts, Inc., to provide a safe work environment for all employees. Realistically, accidents do happen. However, we intend to do everything possible to prevent injuries and protect employees from unsafe work-practices. To achieve this goal, employees, supervisors, and management must take an active role in safety issues. Safety is everyone's responsibility.

Dan Boyer  
Director of Human Resources  
Manatts, Inc.  
Brooklyn, IA

## EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

March 2, 2004

It is the policy of Manatts, Inc., to assure that applicants are employed, and the employees are treated during employment, without regard to their race, religion, sex, color, national origin, age, disability, or any other classification protected by federal, state, or local laws. Such action shall include: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship, pre-apprenticeship and/or on-job-training.

The Manatts, Inc., Board of Directors has appointed Daniel J. Boyer as the EEO/AA Officer for Manatts, Inc. He has the responsibility for, and is capable of, effectively administering and promoting the EEO/AA program and is assigned adequate authority and responsibility to do so. The Board has appointed Diane Kilmer as assistant EEO/AA Officer for Manatts, Inc.

EEO is the opportunity of all applicants for equal employment without regard to race, religion, sex, color, national origin, age, disability, or any other classification protected by federal, state, or local laws.

AA is the specific action taken to assure minorities and women will have equal opportunity for employment.

Manatts EEO policy provides for consistent action with regard to employment opportunities and our AA plan is designed to increase minority and female employment opportunities.

Manatts will use the following plan of action in seeking minority and female applicants to fill our vacant positions: We will list all job openings with the Iowa Workforce office nearest to the location of the vacant position. In this way each opening will immediately be available for potential applicant review and referral in all seventy-one Iowa Workforce offices throughout the state as well as be listed the following day on the U.S. Department of Labor's America's Job Bank for nationwide applicant review and referral. Each listing with IWD will identify Manatts as an EEO/AA employer and that females and minorities are encouraged to apply. As well, current employees will be informed of all openings and encouraged to make referrals. If this plan of action does not provide or generate any minority and female job candidates for the vacant position, we, in consultation with the respective Workforce office, will contact appropriate organizations and advertise in the appropriate media to seek out members of these

populations. All such advertisements will identify Manatts as an equal employment opportunity employer and that minorities and women are encouraged to apply. We will document our above plan of action by requesting from the office of Iowa Workforce Development, where we have listed our vacant position, to furnish us a copy of our job order.

Manatts, Inc., provides non-segregated facilities for our employees. No employee is denied access to adequate facilities on the basis of sex or disability.

## TRAINING

When required to have a formal training program, we will utilize AGC's training program, or another training program that has been approved by the U.S. Department of Labor. When not required to have a formal training program, we will make use of an informal training program. The qualifications are that you must be an employee in good standing and have supervisory approval.

Manatts, Inc., will advise prospective employees/trainees of available training opportunities. For example: through the employee handbook; office postings; job-site postings; shop postings; training videos; on-the-job training; and classroom-type education at our facilities. In addition, we will list all available positions with Iowa Workforce Development and Americas' Job Bank; we will meet in the field and at company meetings to communicate training opportunities to supervisors who will pass this information on to employees under their supervision; the entire EEO/AA policy is being added to our company handbook; we will maintain an applicant log to monitor female and minority applicants; we will add to our 3 in 1 poster a list of qualifications required to be considered for our training program; and our annual evaluation program will include a section explaining how an employee can express interest in promotion or additional training.

Manatts, Inc., will assure that all training and promotions are open to all prospective trainees and employees, without regard to race, religion, sex, color, national origin, age, disability, or any other classification protected by federal, state, or local laws.

Manatts, Inc., will review the progress of each trainee enrolled in our program and will meet with the trainee individually and with his/her supervisor to ensure compliance.

Manatts, Inc., will specifically assess and evaluate the training and promotion opportunities for interested employees yearly through a performance review.

All new hires/trainees are monitored monthly by management to determine general progress as well as to determine any special areas of interest, direction, or difficulty.

Manatts, Inc., will assure that all training and promotions are open to all prospective trainees and employees, without regard to sex, race, religion, color, national origin, age, disability, or any other classification protected by federal, state, or local laws.

Trainees selected for enrollment in the training programs will be evaluated regularly to ensure that progress is being made toward completion of the program. The training and the education

officer will meet with the trainee and then with his/her immediate supervisor to review the progress of the program and make sure the trainee and the supervisor are satisfied that the expectations are being met.

All new hires will be monitored monthly by management and the human resources department to determine general progress, as well as to determine any special areas of interest, direction, or difficulty.



# Employee Benefits

## GROUP MEDICAL AND HOSPITALIZATION

New full time and new full time seasonal employees are eligible for coverage on the Company group health plan on the first day of the month following 30 days of employment. However, coverage is **NOT** automatic. This plan will be effective on the first day of the month following receipt (in the Brooklyn office) of the employee's enrollment form or application. Each employee has a 120-day window to sign up. The date on the enrollment form or application determines the effective date.

The first of the month following ninety (90) days of employment, the Company will pay 80% of the monthly group insurance premium the current calendar year until laid off or January 1, whichever comes first. The Company share will be paid during the layoff period after working two (2) construction seasons. In order for a new hire's first season to count as a full year, they must have a hire date prior to September 1. Therefore, a new hire that starts before September 1, participates in the Wellness Program, and is full time seasonal, will pay 100% of the premium for only the first winter. Any employee who quits and is rehired will have the same waiting period as a new employee. All employees must participate in the Wellness Program each calendar year in order for the Company to pay 80% of the monthly group insurance premium the following year. The Company will pay 20% of the monthly group insurance premium for non-participants of the Wellness Program.

In order for an employee to remain eligible for the Company's share of the premium, they must have worked 1000 hours the preceding year and be a current full time or full time seasonal employee. The maximum months covered during a layoff will be six (6) months.

The Manatt Group Health Plan offers an annual enrollment period each year during the month of December for a January 1 effective date. Employees may elect to change the current coverage elected (family/single), or elect to waive participation in the plan. Full-time seasonal employees' enrollment period is the first of the month following return to work. Enrollment changes will only be allowed during this time period, unless there is an event/family status change as defined by the IRS. Certain waiting periods and pre-existing conditional clauses may apply. (For further information, please see the Manatts, Inc., Group Health Benefits book.)

Employees may choose to have extra deductions made while they are working to cover their share of the group health insurance premium cost during the layoff season or slow periods. Seasonal employees who opted not to participate in the Wellness Program the current calendar

year, will be required to have their share (80%) of the monthly health insurance premium paid prior to January 1 to continue coverage. Non-payment by the January 1 due date will result in cancellation of coverage. New employees who enroll in the Manatt Group Health Plan as soon as they are eligible, may sign up for the Cafeteria Plan for PREMIUM ONLY. After the initial enrollment form has been signed, the health insurance premium will automatically go through the Cafeteria Plan every year. This allows the employee's share of the health insurance premium to be paid with pre-tax dollars.

Employees who are included in their spouse's group health insurance plan may be eligible for a contribution by Manatts into the Cafeteria Plan. See CAFETERIA-FLEXIBLE BENEFITS PROGRAM.

### **VOLUNTARY DENTAL INSURANCE**

New full time and new full time seasonal employees are eligible for Voluntary Dental Insurance on the first day of the month following 30 days of employment. This plan will be effective on the first day of the month following receipt (in the Brooklyn office) of the employee's enrollment form or application. Each employee has a 120-day window to sign up. The date on the enrollment form or application determines the effective date.

The Manatt Voluntary Dental Plan offers an annual enrollment period each year during the month of December for a January 1<sup>st</sup> effective date. Employees may elect to change the current coverage elected or elect to waive participation in the plan. Full-time seasonal employee's enrollment period is June 1st following return to work. Enrollment changes will only be allowed during this time period, unless there is an event/family status change as defined by the IRS. Certain waiting periods and pre-existing conditional clauses may apply. (For further information, please see the Manatt Voluntary Dental Insurance Policy).

Employees may choose to have extra deductions made while they are working to cover the dental insurance premium cost during the lay-off season or slow periods. New employees who enroll in Voluntary Dental Insurance Plan as soon as they are eligible, may sign up for the Flex Plan for PREMIUM ONLY. After the initial enrollment form has been signed, the voluntary dental insurance premium will automatically go through the Flex Plan every year. This allows the dental insurance premium to be paid with pre-tax dollars.

## WELLNESS PROGRAM

**Manatts is dependent upon their employees for the success of the company. They wish to show their appreciation for that success by extending a comprehensive Wellness Program to all employees. Health care costs, productivity, absenteeism, and work-comp claims are all affected by the wellness of employees. Simply stated, if we are healthier and more productive, we will all share in the success.**

Wellness is a confidential screening that is intended to give employees an AWARENESS of their health. It is NOT intended to be a complete physical exam. Following is a list of medical procedures available in conjunction with the Wellness Program:

**Health Screening** Includes health risk appraisal, blood pressure, heart rate, lower back flexibility, height, weight, body composition analysis, blood profile (glucose, triglycerides, cholesterol, HDL, LDL, HDL/Cholesterol Ratio) and a *private, confidential* consultation of your results the same day. Employees have the opportunity to participate in follow-up programs and will receive educational materials on a variety of topics throughout the year.

**Pulmonary Function Test (PFT)** This exam provides a baseline, indicative of current lung function. Subsequent annual tests will provide the information necessary to determine whether lung function is deteriorating or improving. *OSHA requires some job classifications to have this test done on an annual basis. Employees in these job classification will not be allowed to return to work until this mandatory test is performed.*

**Mammogram** A mammogram is offered to women 40 years or older, and those younger with a history of breast cancer in their immediate family. Physicians recommend a baseline at the age of 35 and annually, over the age of 40.

**Prostate Exam** This exam is done at the employee's family physician prior to or 30 days after the date participated in the Health Screening. Blood draw will be performed, as requested, at the Health Screening and results sent to the employee for use at their family physician.

## CAFETERIA—FLEXIBLE BENEFITS PROGRAM

Employees can elect to pay for group health insurance premiums, unreimbursed medical expenses and dependent care expenses with pre-tax dollars. Employees must work at least 1000 hours per year to be eligible to participate in the Cafeteria/Flex Plan. All eligible employees must enroll by January 1 of each year.

New full time and new full time seasonal employees are eligible to enroll January 1 or July 1 following 1000 hours of employment. New employees that do not reach 1000 hours before layoff and return to work the following season will be eligible to enroll in the Cafeteria/Flex Plan as of July 1 as long as they have worked a total of 1000 hours.

The Company will contribute \$12.00 per month (\$144.00 per year) into a Cafeteria/Flex Plan account for each eligible employee to use for qualifiable expenses. Qualifiable expenses include medical expenses not paid by insurance such as deductibles and co-insurance, dental and eye exams, or preventative care expenses.

The Manatt Group Health Insurance Premium and the Company contribution of \$144.00 into the Health Care Reimbursement Account for each eligible employee is a “negative election” benefit. Employees must complete an original enrollment form to select these accounts, but once it is done, no additional form will be required as long as there are no further changes.

Employees may elect to have additional gross pay dollars withheld from their paycheck.

**Employees setting aside additional dollars in the Health Care Reimbursement Account or the Dependent Care Account are required to complete a new form each calendar year prior to January 1.**

The Company will contribute \$200 per month into the Cafeteria/Flex Plan for eligible employees insured thru their spouse’s group health plan. These funds may be used for qualifiable expenses not paid by insurance or dependent care expenses. Employees must be eligible and participate in the Cafeteria/Flex Plan before this benefit is available. **This is not a “negative enrollment” benefit. A new enrollment form is required each calendar year prior to January 1.**

## **401(k) RETIREMENT PLAN**

Employees who are at least 19 years of age are eligible to contribute to the 401(k) Retirement Plan immediately when hired. In accordance with federal maximum limits, employees may set aside 60% of their weekly gross earnings which are tax deferred except for FICA.

To enroll, employees may log on to Fidelity NetBenefits at [www.401k.com](http://www.401k.com) and follow the web navigation steps or call 1-800-835-5097 and follow the phone prompts. A completed beneficiary form must be returned to Human Resources. Employee's contributions are always 100% vested. In the event of termination or retirement, options will be sent out by July 1, at which time participants MUST choose an investment option.

To be eligible for a matching contribution, an employee must be employed by Manatts for one (1) Plan Year and worked more than 500 hours during the year being matched.

Manatts will match funds based on years of service as follows:

<b><u>Years Of Service</u></b>	<b><u>Maximum Matching Funds</u></b>
1 & 2	\$100.
3 & 4	\$250.
5 & 6	\$500.
7 & 8	\$750.
9 - 14	\$1,000.
15 - 24	\$1,500.
25 & over	\$2,500.

## **GROUP TERM LIFE INSURANCE**

New full time and new full time seasonal employees who work at least 1000 hours their first calendar year, will have group term life insurance coverage paid by the Company beginning January 1 of the following year or the first of the month after they return to work. The Company will continue to pay for the employee's life insurance coverage, including layoff not to exceed six (6) months, provided the employee works at least 1000 hours the preceding year.

This coverage is \$20,000 for the employee, \$10,000 for spouse and for any dependent children age six (6) months to 19 years (or age 26, if a full time student). A dependent child from 15 days to 6 months of age will be covered at \$1,000.

## **VOLUNTARY TERM LIFE INSURANCE**

Employees are eligible to purchase *additional* term life insurance for themselves, spouse, and dependent children up to the age of 19 (or to their 26th birthday, if a full-time student).

To be able to purchase this additional term life insurance without underwriting, an enrollment form must be completed and returned to the Brooklyn office. This must be done prior to the first of the month following the effective date of the Company provided life insurance.

Some of the plan highlights:

- Employees buy in increments of \$10,000 for themselves, \$5,000 for their spouse, and \$2,000 for children.
- Purchasing limits:
  - **Employee:** Must purchase equal to or more than amount purchased for spouse and/or children. Up to \$300,000 without underwriting, \$500,00 with underwriting.
  - **Spouse:** Up to \$30,000 without underwriting, \$150,000 with underwriting.
  - **Children:** Up to \$10,000.
- Premiums are payroll deductible.
- Rates for employees are based upon age and smoker or non-smoker. Spouse is based on age only and just one rate for children.

## **SHORT-TERM DISABILITY PAY**

New full time and full time seasonal employees who work at least 1000 hours their first calendar year, will have short-term disability coverage paid by the Company beginning January 1 of the following year or the first of the month after they return to work. The Company will continue to pay for the employee's short-term disability coverage, including layoff not to exceed six (6) months, provided the employee works at least 1000 hours the preceding year. Coverage will cease upon termination of employment.

Whenever the employee is unable to work because of a non-work related accident or illness, the plan provides payment of \$225.00 per week not to exceed 26 weeks. A physician's statement of disability will be required. Disability payments are not available if drawing unemployment.

## **HOLIDAYS**

Employees are not eligible for Holiday Pay until they have completed 90 calendar days, including at least 45 work days. Additionally, employees must work the scheduled work day before and the scheduled work day after the Holiday. Paid Holidays are: New Year's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving, and Christmas. A paid holiday is 8 hours of straight time pay.

## **FUNERAL LEAVE**

Upon the death of a member of the immediate family (parent, child, spouse) each employee will receive eight hours of straight time pay for up to three days from the regular work week.

Eight hours of straight time pay for one day will be allowed for attendance of the funeral of other family members (mother-in-law, father-in-law, brother, sister, grandparents, or grandchildren).

## **SAFETY BOOTS & SAFETY PRESCRIPTION GLASSES**

Employees required to wear boots on the job and purchase steel-toed boots will be reimbursed for 25% of the boot cost. A detailed paid receipt showing what was purchased must be turned in to the Safety Department for approval and reimbursement. The 25% reimbursement will be paid directly to the employee.

Employees required to wear safety glasses on the job and have prescription glasses will be reimbursed up to \$50.00 for prescription safety glasses. Employees must contact the Safety Department for details of this program before ordering prescription safety glasses.

## **PAID DAYS OFF**

After one year of employment, full-time employees, **not including** fulltime seasonal employees, are eligible for paid days off, according to the schedule below. Years of service are based on the employee's anniversary hire date. Paid days off will be based on 40 hours per week at straight time. All paid days off must be approved by the employee's immediate supervisor or manager. Because of the seasonal nature of the construction industry, it is normally not possible to schedule paid days off from April 1 through November 30 of each year.

Employees may carry over up to 5 paid days off from the previous year. Any additional paid days off earned will result in the loss of previously accumulated paid days off. If a situation occurs which prevents an employee from taking the paid days off when he or she requests them, an exception may be made to the "use it or lose it" rule by making a written request to the Human Resources Department explaining the reason for the inability to take the time off.

Employees terminated for Company policy violations or criminal laws will lose any accrued paid days off.

### **Schedule for paid days off**

After one (1) year's service:	5 days
After two (2) year's service	10 days
After three (3) year's service	11 days
After six (6) year's service	12 days
After nine (9) year's service	13 days
After twelve (12) year's service	14 days
After fifteen (15) year's service	15 days

## **PER DIEM POLICY**

Employees must be full-time or full-time seasonal and working on a project 50 miles or more from home base (ie: Brooklyn, Newton, Ames, Tama) to the center of the project. Per diem cannot be collected if the employee is driving a Company vehicle back and forth to the project. Each employee must show up on time or no per diem will be paid for that day.

Employees will receive \$25.00 per day for each scheduled work day that the employee is on the job and available to work. After two construction seasons of employment, the employee will receive \$30.00 per day for each scheduled work day the employee is on the job and available to work. If rained out and cannot work, the employee must show up, notify the supervisor of arrival, and be staying away from home to qualify.

If an employee is on a federal wage scale paying more than \$3.00 per hour over normal wages including fringe benefits, the Company will not pay per diem.

Each employee must complete and submit the per diem request weekly to their supervisor. This form must have all required information completed to satisfy the IRS. If incomplete, per diem will not be paid.

## **UNIFORM SERVICE**

All employees have the opportunity to order uniforms at their own expense. Employees will be required to complete a payroll deduction form for the uniform cost as it will be deducted from the employee's weekly paycheck.

Employees classified as full-time or full-time seasonal mechanics will be charged for 50% of the uniform cost. Employees will be required to complete a payroll deduction form for the remaining 50% of the uniform cost as it will be deducted from the employee's weekly paycheck.

A field employee classified as a supervisor, foreman, or manager is provided with uniforms free of charge. Employees in the job classifications receiving all or a portion of the uniform cost paid by the Company must have a supervisor's approval before placing an order with the uniform company.

## **CREDIT UNION**

Manatts, Inc., is a sponsor for the University of Iowa Community Credit Union which has offices in Grinnell and Coralville, Iowa. Employees are eligible to become a member after one year or season of employment. Enrollment forms are available at the Brooklyn office. Some of the services available to members are the following:

- ▶ Payroll deduction provided by Manatt's
- ▶ Savings accounts with dividends calculated monthly
- ▶ I. R. A. accounts
- ▶ Signature and collateralized loans with no pre-payment penalty
- ▶ Credit Life insurance available at nominal rates
- ▶ Share draft checking accounts
- ▶ Free Notary service
- ▶ Discount brokerage service
- ▶ Christmas Club savings
- ▶ Guaranteed student loans
- ▶ AAA Motor Club group discount plans
- ▶ Shazam and Credit Cards

## **THE EMPLOYEE ASSISTANCE PROGRAM**

Because there are many things that can cause stress in our lives and can have a very negative impact if left unaddressed, Manatts, Inc., has entered into an agreement with EMPLOYEE ASSISTANCE PROGRAM OF IOWA, to provide an Employee Assistance Program for our employees and their families.

EMPLOYEE ASSISTANCE PROGRAM OF IOWA is designed to provide employees and their family members with a confidential means of dealing with problems that may arise from the stresses of modern living. EMPLOYEE ASSISTANCE PROGRAM OF IOWA will provide assessment, referral and short-term counseling services.

An employee or family member calling EMPLOYEE ASSISTANCE PROGRAM OF IOWA will enter into a confidential relationship bound by Federal Confidentiality laws. No information is transmitted to Manatts which would identify the caller or the issue involved.

Calls will be handled by professional counselors who will assess the caller's needs and help locate a local resource to assist the caller. The caller can use up to three sessions with a provider without cost. If further services are required, assistance will be provided in finding a resource that is covered under the caller's benefit plan or a sliding fee scale can be arranged.

Typical issues that are handled are marital, family, grief, financial, legal, psychological, alcohol or drug dependency. The program is not limited to any issues and these are only examples.

Manatts is concerned about maintaining the well being of our employees and their families. Since Manatts wishes to respect the employee's right to privacy, they retained the services of EMPLOYEE ASSISTANCE PROGRAM OF IOWA. Any employee or family member seeking assistance, should call:

**EMPLOYEE ASSISTANCE PROGRAM OF IOWA  
at 1-800-EAP-IOWA (1-800-327-4692).**

## **FMLA LEAVE OF ABSENCE POLICY**

A family and/or medical leave of absence is a leave of absence available to eligible employees for up to 12 work weeks of unpaid leave in any 12-month period for one or more of the reasons described below:

### **Family Leave**

The birth of the employee's child;

The placement of a child with the employee for adoption or foster care;

### **Medical Leave**

The employee is needed to care for a child, spouse, or parent who has a serious health condition;

The employee is unable to perform the functions of his or her position because of a serious health condition.

### **Serious Health Condition:**

A serious health condition includes mental or physical conditions that involve continuing treatment by a health care provider, chronic conditions (e.g. asthma and diabetes) and conditions which require multiple treatments (e.g. dialysis and chemotherapy). Absences that do not require inpatient care and are not chronic conditions must generally be for more than three consecutive days. In the absence of complications, routine treatments and short-term conditions do not constitute a serious health condition.

Employees must have been employed by the company for at least 12 months and have worked at least 1,250 hours during the 12-month period immediately preceding the requested leave. The next 12-month period begins the first day leave is requested.

### **Notice and Procedures for Requesting Leave**

Employees must notify their supervisor at least 30 days in advance requesting a Family or Medical Leave because of the birth, adoption or placement of a child in your home or because of a planned medical treatment. Employees must notify their supervisor as soon as practicable for circumstances that require the leave begin in less than 30 days. In the case of intermittent leave or leave on a reduced leave schedule, additional requirements may apply.

### **Certification Required for Medical Leave**

In the case of a Medical Leave, the Company may request medical certification to be provided to the Human Resources Department in a timely manner on a form supplied by the Company. The certification will include the date of the onset, probable duration, type of treatment, and appropriate medical facts concerning the condition.

Employees seeking a Medical Leave for their own health condition, will also be required to provide certification stating their inability to perform the essential functions of their job classification. For employees seeking a Medical Leave to care for a family member, the certification must also state the employee is needed to care for the family member and an estimate of the amount of time needed. Additional requirements apply when seeking leave on an intermittent or part-time basis, which should be discussed with the employee's supervisor. In its discretion, the Company may request a second medical opinion and periodic recertification of the medical condition. This will be at the Company's expense. If the medical opinion sought by the Company differs from the employee's physician's certification, the Company may, at its own expense, request the opinion of a third health care provider chosen by the employee and the Company. The third opinion will be binding.

### **Additional Conditions of Medical Leave**

Medically necessary leave may be taken on an intermittent or reduced leave schedule for the employee's own serious health condition or that of spouse, child or parent. If leave is requested on this basis, however, the employee may be required to transfer temporarily to an alternative position with equivalent pay and benefits which better accommodates recurring periods of absence or a part-time schedule.

### **Health Care Coverage**

While the employee is on Family or Medical Leave, the Company will pay its share of the premiums for the Group Health Insurance Plan. The employee will be responsible for paying their share of the premium during the leave.

### **Use of Paid Leave**

The employee may be required to use accumulated paid leave time, as appropriate, for any part of the Family or Medical Leave.

### **Reinstatement**

In most cases, the employee will be returned to their former position at the conclusion of their leave. The employee benefits which accrued before the leave are maintained during the leave. In the case of medical leave for the employee's own serious illness, a fitness-for-duty certificate will be required before the employee returns to work.

*As is true with all policies, this FMLA Company Leave of Absence Policy is meant to conform with the applicable law, in this case the Family and Medical Leave Act as amended in February of 1995. Therefore, further clarification of specific terms and requirements of this policy can be found in the text of the Federal Regulations.*

### **MEDICAL LEAVE OF ABSENCE POLICY**

A medical leave of absence may be granted at the discretion of the Company to employees who are either ineligible for leave under the Company Family and Medical Leave policy or who have exhausted that leave. A leave may be granted for up to six months but will be reduced by the amount of any medical leave taken by the employee under any other company policy. Requests for extensions will be considered on a case-by-case basis.

Employees taking a medical leave under this policy must exhaust their accrued paid days off, provided they are otherwise eligible for paid days off in accordance with the Company policy. Paid days off need not be exhausted, however, during the first six weeks of leave related to the birth of a child.

A medical leave will not be granted unless the employee provides a statement from a health care provider stating the need for the leave and the expected duration of the leave, and explaining in general terms the nature of the condition.

All benefits shall be suspended during the medical leave. The employee will be notified of COBRA rights and will be required to pick up the entire cost of the premium for health insurance, as well as the nominal administrative cost of maintaining the employee in the group plan.

Employees returning from a medical leave within the 6 months will be returned to their former job, or one of equivalent pay, benefits and status.

## **MATERNITY LEAVE**

Pregnancy-related leaves of absence shall be available for a period of up to eight weeks of unpaid leave for childbirth or other pregnancy-related conditions. In all other respects, a pregnancy-related leave of absence is treated in an identical fashion as other leaves resulting from temporary illness or disabilities.

During maternity leave, an employee may be eligible for short-term disability benefits. Employees may also choose to substitute paid days off during the six weeks of parenting leave, if paid days off are earned.

Employees who are eligible for FMLA leave, maternity leave will run concurrently with the first eight weeks of FMLA leave.

While on maternity leave, employees will continue to be eligible to participate in the group health insurance plan. Employees who are not eligible for FMLA leave or if the employee's annual FMLA time has been used up for other purposes, will be responsible to pay the entire monthly health insurance premium. Employees must contact the Human Resources Department to make these payment arrangements.

## **JURY DUTY**

Jury duty is a civic duty that the Company believes is everybody's responsibility to serve, if called upon. Employees who must serve on jury duty will be placed on a leave of absence without pay, but will not lose any Company benefits in which they are presently enrolled.

A written note from the Clerk of Court stating the exact starting and finishing hour of their jury service must be furnished to the employee's supervisor.

## **MILITARY LEAVE**

An employee requesting a leave of absence to meet military requirements shall be granted such a leave, without pay, together with re-employment rights as provided by Federal Law in effect at the time.

# Appendix

## DOT Drug and Alcohol Policy

Manatts, Inc., has a vital interest in the safety and well being of our employees as well as the general public. It is well recognized that individuals who use illegal drugs or abuse alcohol are more likely to have workplace accidents, incur greater amounts of lost time, and perform their jobs in a substandard manner.

Therefore, it is Manatts, Inc.,’s intent to continue to promote a safe and secure work environment, free of illegal drug use and alcohol abuse. It is also our intent to comply with all U.S. Department of Transportation rules and regulations (49 CFR Part 40), the Drug Free Workplace Act of 1988, the Americans with Disabilities Act and the Family Medical Leave Act.

All applicants will be notified of Manatts, Inc., drug and alcohol use and testing policy at the time they apply for a position with Manatts, Inc. Anyone possessing a valid CDL will comply with the following rules and regulations. **Any questions or concerns regarding Manatts, Inc., Drug and Alcohol Policy shall be directed to the Designated Employee Representative (DER), Dan Boyer, or Diane Kilmer at 641-522-9206.**

The goal of Manatts, Inc., policy and the testing of employees is to insure a drug and alcohol free work environment, and to reduce and help eliminate drug and alcohol related accidents, injuries, fatalities and property damage.

The following conduct is prohibited:

- Employees are prohibited from using, being under the influence, or possessing illegal drugs.
- Employees are prohibited from using or being under the influence of legal drugs that can adversely affect the ability to work safely.
- Employees are prohibited from buying, selling, soliciting to buy or sell, transport or possess illegal drugs while on or in Manatts, Inc., time or property.
- Employees are prohibited from using alcohol within 8 hours of performing a safety sensitive function (D.O.T. requires a minimum of 4 hours).
- Employees are prohibited from using or being under the influence of alcohol at any time while on duty, 8 hours post-accident, or until tested post-accident.

- Employees are prohibited from possessing ANY amount of alcohol (including medications or over-the-counter remedies containing alcohol) while on duty. This is a new DOT regulation.
- Testing positive for drugs and/or alcohol while on duty.
- Refusing to be tested for drugs and/or alcohol when circumstances warrant.
- Reporting for duty or remaining on duty to perform a safety sensitive function with an alcohol concentration of 0.02 or greater.

An employee who violates this policy will be subject to disciplinary action by Manatts, Inc., which may include termination, as mandated by D.O.T. In addition, any driver who is convicted by the judicial system of a felony for a drug or alcohol related matter is subject to immediate termination.

### **Confidentiality**

Employee test results are confidential. Test results and other confidential information will only be released to the employer and the substance abuse professional. Any other release of this information is only with the employee's consent as mandated by the D.O.T. 49 CFR §40.321

## **Drug & Alcohol Testing: Training and Awareness Driver Handout**

### **Introduction**

This handout provides a general overview of the Department of Transportation regu-

lations on drug and alcohol use. A review of the effects of alcohol and certain drugs on the body is also included. Throughout this hand-out “substance abuse” will be used in place of terms “alcohol abuse” or “drug abuse” in reference to both substances. Chemical dependency comprises all chemicals, whether they are controlled sub-

# stances or alcohol.

## Abbreviations and Terms You Should Know

### **Abbreviations**

BAT	Breath and Alcohol Technician
CDL	Commercial Driver's License
CMV	Commercial Motor Vehicle

### **Abbreviations (cont.)**

DER	Designated Employer Representative
DHHS	Department of Health and Human Services
DOT	Department of Transportation
EAP	Employee Assistance Program
EBT	Evidential Breath Testing Device
MRO	Medical Review Officer
STT	Screening Test Technician

### **Definitions**

#### **Actual Knowledge**

Knowledge by the employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the driver, infor-

mation provided by the driver's previous employer(s), a traffic citation for driving a commercial motor vehicle (CMV) while under the influence of alcohol or a controlled substance, or a driver's admission of alcohol or a controlled substance use under the provisions of §382.121.

## **Alcohol**

Intoxicating agent in

beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

### **Alcohol Concentration (or Content)**

Alcohol in a volume of breath (shown as grams of alcohol per 210 liters of breath) as indicated by an evidential breath test.

### **Alcohol Screening De-**

## **vice (ASD)**

Breath or saliva device, other than an evidential breath testing device (EBT), that is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.

## **Alcohol Use**

Consumption of any

beverage, mixture, or preparation, including medications containing alcohol.

## **Breath Alcohol Technician (BAT)**

An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath-testing device (EBT).

## **Confirmation Test**

In testing for alcohol: a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. An evidential breath-testing device must be used.

In testing for controlled substances, a second procedure to:

- Identify and quantify the presence of a specific <sup>126</sup> drug or

metabolite.

- Further support a validity test result in the case of an adulterated, diluted, or substituted specimen.

In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.

## **Confirmed Drug Test**

A confirmation test result received by a medical review officer (MRO) from a laboratory.

## **Controlled Substance**

In the regulation, the terms “drugs” and “controlled substances” are interchangeable and have the same meaning.

Unless otherwise provided, these terms refer

to:

- Marijuana
- Cocaine
- Opiates
- Phencyclidine  
(PCP)
- Amphetamines

## **Designated Employer Representative (DER)**

An individual identified by the employer who is:

- Able to receive communications and

test results from  
service agents

- Authorized to take immediate actions to remove drivers from safety-sensitive duties

- Able to make required decisions in the testing and evaluation processes

The individual must be an employee of the employer. Service

agents cannot serve as Designated Employee Representative (DER).

## **Driver**

Any person who operates a commercial motor vehicle (CMV), including:

- Full time, regularly employed drivers
- Casual, intermittent or occasional drivers
- Leased driver, in-

dependent, owner-operator contractors who are either directly employed by or under lease to the employer or who operates a commercial motor vehicle (CMV) at the direction of or with the consent of the employer.

## **Evidential Breath Testing Device (EBT)**

A device used for alcohol breath testing that has been approved by the National Highway Traffic Safety Administration.

## **Medical Review Officer (MRO)**

A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving and reviewing laboratory results generated by an employer's drug

testing program. The MRO must have knowledge about and clinical experience in substance abuse disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and other relevant biomedical information.

## **Refusal<sup>64</sup> to Test**

Failure to provide an adequate urine specimen for a drug test without a valid medical explanation; failure to provide saliva or adequate breath for an alcohol test without a valid medical explanation; failure to submit to either test as directed; engaging in any conduct which clearly obstructs the testing process.

# **Safety-Sensitive Function**

A driver is considered to be performing a safety-sensitive function when he/she begins work—or is required to be in readiness to work—until the time he/she is relieved from work and all responsibilities for performing work. Safety-sensitive functions include six specific items found in

§382.107 of the Federal Motor Carrier Safety Regulations. (See Page 113.)

## **Screening Test (Initial Test)**

In testing for alcohol; a procedure to determine if a driver has a prohibited concentration of alcohol in his/her system. In testing for controlled substances; a test to eliminate “negative” urine

specimens from further consideration or to identify a specimen that requires additional testing for the presence of drugs.

## **Screening Test Technician (STT)**

A person who instructs and assists employees in the alcohol testing process and operates an alcohol-screening device (ASD<sup>38</sup>).

## **Stand-down**

The practice of temporarily removing a driver from the performance of safety-sensitive functions based only on a report from a laboratory to the medical review officer (MRO) of a confirmed positive drug test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed

verification of the test results.

## **Substance Abuse**

Refers to patterns of use that result in health consequences or impairment in social, psychological, and occupational functioning.

## **Substance Abuse Professional (SAP)**

A licensed physician (medical doctor or doc-

tor of osteopathy), or licensed or certified psychologist, social worker, employee assistance professional, or certified addiction counselor who evaluates employees who have violated a DOT drug and alcohol regulation. The SAP makes recommendations concerning education, treatment, follow-up testing, and aftercare.

## **Who is Covered by the Drug and Alcohol Regulations?**

The Federal Motor Carrier Safety Administration, Department of Transportation Drug and Alcohol regulations apply to every person who operates a commercial motor vehicle (CMV) in interstate or intrastate commerce in the United<sup>14</sup>States, and

is subject to the commercial driver's license (CDL) requirements of Part 383 and his/her employer. It also applies to drivers who operate CMVs in the United States and are subject to the Licencia Federal de Conductor (Mexico) or the CDL requirements of the Canadian National Safety Code.

## **What is a Safety-Sensitive Function?**

Safety-sensitive functions for operators of commercial motor vehicles (CMV) are listed under §382.107.

A safety-sensitive function means all time from the time a driver begins work or is required to be in readiness to work until the time he/she is relieved from work<sup>44</sup> and all re-

sponsibility for performing work. Safety-sensitive functions shall include:

- All time at an employer or shipper plant, terminal, facility, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
- All time inspecting equipment as re-

quired by §392.7 and §392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;

- All time spent at the driving controls of a commercial motor vehicle in operation;
- All time, other than driving time, in or upon any commercial motor<sup>46</sup> vehicle ex-

cept time spent resting in a sleeper berth (a berth conforming to the requirements of §393.76 of this subchapter);

- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to oper-

# ~~Note-Regulated, Drug~~ ~~and Alcohol Policy~~

receipts for shipments loaded or unloaded; Manatts, Inc., has a vital interest and in the safety and well being of our employees as well as the general public. It is well recognized that disabled vehicle operators who refuse to consult into policy to deal with possible accidents minimize greater amounts of lost time,

# What are the Alcohol and Drug Prohibitions?

The OSHA standard is the restriction, in fact, that use of or inhaling or handling a safe chemical substance in an environment of prohibition of illicit drug use and alcohol abuse. It is also our

- intent to comply with Iowa Code 730.5 Performing a safety-sensitive function
- Use during the 4 hours before perform-

# the Americans with Disabilities Act, Family and Medical Leave Act, and all other applicable laws.

## **Applicability** (Iowa Code 730.5 Private Sector Drug-Free Workplaces)

This policy shall apply to all applicants and individuals employed by Manatts, Inc., who are not already covered by Part 40 of the US Department of Transportation CDL regulations. Since alcohol and drug use impair an employee's ability to perform their duties safely, this Drug and Alcohol Policy shall be applicable to all employees at any time they are actually performing, ready to perform, or immediately available to perform any paid function as designated by Manatts, Inc.

All applicants will be notified of Manatts, Inc.,'s drug and alcohol use and testing policy at the time they apply for a position with Manatts, Inc., and during their first interview.

## **Abbreviations and Terms You Should Know**

### **Abbreviations**

BAT	Breath and Alcohol Technician
DER	Designated Employer Representative
DHHS	Department of Health and Human Services
EAP	Employee Assistance Program
EBT	Evidential Breath Testing Device
MRO	Medical Review Officer

### **Definitions**

# Alcohol<sup>150</sup>

Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

### **Alcohol Concentration (or Content)**

Alcohol in a volume of breath (shown as grams of alcohol per 210 liters of breath) as indicated by an evidential breath test.

## **Alcohol Use**

Consumption of any beverage, mixture, or preparation, including medications containing alcohol.

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breath-testing device  
(EBT).

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that provides quantita-  
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dential breath-testing  
device must be used. In

testing for controlled substances, a second procedure to:

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- Further support a validity test result in the case of an adulterated, diluted, or substituted specimen.

In order to ensure re-

liability and accuracy,  
this test is separate  
from and uses a differ-  
ent technique and  
chemical principle from  
that of the screening  
test.

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A confirmation test  
result received by a  
medical review officer  
(MRO) from a labora-  
tory.

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In the regulations, the terms “drugs” and “controlled substances” are interchangeable and have the same meaning.

Unless otherwise provided, these terms refer to:

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- Cocaine
- Opiates
- Phencyclidine

(PCP)

- Amphetamines

## **Designated Employer Representative (DER)**

An individual identified by the employer who is:

- . Able to receive communications and test results from service agents
- . Authorized to take

immediate actions  
to remove drivers  
from safety-  
sensitive duties

- . Able to make re-  
quired decisions in  
the testing and  
evaluation processes

The individual must  
be an employee of the  
employer. Service  
agents cannot serve as  
the Designated Em-  
ployer Representative  
(DER<sup>58</sup>).

## **Evidential Breath Testing Device (EBT)**

A device used for alcohol breath testing that has been approved by the National Highway Traffic Safety Administration.

## **Medical Review Officer (MRO)**

A licensed physician (medical doctor or doc-

tor of osteopathy) responsible for receiving and reviewing laboratory results generated by an employer's drug testing program. The

MRO must have knowledge and clinical experience in substance abuse disorders and appropriate medical training to interpret and evaluate individual's confirmed positive test result along with