



# *EMPLOYMENT HANDBOOK*

MARCH 2018



2092 Hwy 9 W, Decorah, IA 52101

PH (563)382-2901

FX (563)382-2902

email: [jbhc@jbholland.net](mailto:jbhc@jbholland.net)

[www.jbholland.net](http://www.jbholland.net)



**EMPLOYMENT HANDBOOK  
TABLE OF CONTENTS**

**GENERAL POLICY:**

**EQUAL EMPLOYMENT OPPORTUNITY STATEMENT .....1**

**EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION STATEMENT .....2**

**TRAINING AND PROMOTION POLICY.....2-2**

**HARASSMENT POLICY STATEMENT.....2**

    Harassment .....3

    Sexual Harassment.....3

    Prohibited Behaviors.....3

    Reporting Harassment .....4

**RADIO USAGE POLICY .....4**

**WORKPLACE VIOLENCE POLICY .....4**

**SOCIAL MEDIA POLICY .....5**

**IMMIGRATION REFORM & CONTROL ACT OF 1986 .....6**

**COBRA – THE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1986 .....6**

**INTRODUCTORY PERIOD.....6**

**FAMILY AND MEDICAL LEAVE OF ABSENCE .....7**

    Policy .....7

    Eligibility.....7

    Type of Leave Coverage ..... 7-8

    Employees Status and Benefits During Leave .....8

    Employees Status after Leave.....8

    Intermittent Leave or A Reduced Work Schedule .....8

    Certification Of The Serious Health Condition .....9

    Procedure For Requesting Leave .....9

**EMPLOYMENT PRACTICES:**

**CLASSIFICATION OF EMPLOYMENT .....10**

**ABSENTEEISM AND TARDINESS .....10**

    Absence.....10

    Advance Notice.....10

    Lack of Notification .....10

    Tardiness.....10

    Discipline.....11

**DISCIPLINARY ACTIONS ..... 11-12**

**TERMINATION/RESIGNATION/EXIT INTERVIEW .....12**

    Termination .....12

    Resignation and Exit Interview .....12

**WAGE AND SALARY ADMINISTRATION:**

**FEDERAL WAGE AND HOUR CLASSIFICATION .....13**

**OVERTIME .....13**

**FRINGE BENEFITS ..... 13-15**

**TIME OFF POLICY.....15**

**VACATION LEAVE POLICY ..... 16-17**

**LODGING & MEALS PER DIEM .....18**

**CORPORATE LODGING RATE .....19**

**MILEAGE REIMBURSEMENT .....19**

**EMPLOYEE REFERRAL BONUS PROGRAM .....20**

**JB HOLLAND CHARITABLE MATCH PROGRAM .....20**

**SAFETY:**

**SAFETY POLICY .....21**

# *NOTICE*

---

This handbook is presented as a matter of information only and shall not be construed to form a contract between JB Holland Construction, Inc. and the employee. JB Holland Construction, Inc. reserves the right to change or eliminate any or all of the policies procedures, and benefits described herein at any time, with or without notice.

Just as any employee retains the right to terminate their employment at any time for any reason, JB Holland Construction, Inc. retains a similar right. No policy or practice of JB Holland Construction should be construed to change this relationship. Only corporate officers have the right to modify or change this practice, and such action must be in writing.

All employee handbooks and amendments issued prior to March 2018 are replaced by this handbook. Documents issued prior to this date should be discarded.

# GENERAL POLICY

Page 1 of 20

---

## **EQUAL EMPLOYMENT OPPORTUNITY STATEMENT:**

It will continue to be the policy of JB Holland Construction, Inc. to maintain a program of equal employment opportunity designed to ensure that employment and advancement opportunities are made available to all employees and applicants on the basis of individual qualifications and without unlawful regard to race, religion, color, national origin, disability, age, sex, or any other classification protected by federal, state, or local laws.

In addition, to providing equal employment opportunities, JB Holland Construction, Inc. will strive to provide an environment free from unlawful harassment, including sexual harassment. Any alleged violation of this policy will be investigated, and disciplinary action will follow as required.

Employees should direct any questions pertaining to discrimination and/or the Company's EEO program to the EEO Officer, William Holland.

## **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

### **A. OPERATING STATEMENT**

It is the policy of JB Holland Construction, Inc. to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age, or disability. 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-the-job training. All employees are encouraged to refer minority and women applicants for employment.

### **B. DESIGNATION OF THE EEO/AA OFFICER**

The EEO/AA is William F. Holland. The EEO/AA officer shall have the responsibility for and be capable of effectively administering and promoting the EEO/AA program and shall be assigned adequate authority and responsibility to do so.

### **C. DEFINITION OF EQUAL EMPLOYMENT OPPORTUNITY (EEO) AND AFFIRMATIVE ACTION (AA)**

EEO is the opportunity of all applicants for equal opportunity without regard to race, religion, sex, color, national origin, age, or disability. AA is the specific action taken to assure minorities and women will have equal opportunity for employment.

The distinction between the two policies is that EEO is a policy which provides consistent action in regards to employment opportunities, whereas AA is a proactive policy designed to increase minority and female employment opportunities.

### **D. RECRUITMENT POLICY**

Based on the current work for the season, JB Holland will use the following organizations to seek out minority and female applicants:

- Vocational Schools
- Job Service of Iowa
- AGC of Iowa Careers Website
- Local, Regional and Statewide Newspapers

Additional references will be contacted when JB Holland obtains more projects.

# GENERAL POLICY

Page 2 of 20

---

## **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY**

**(Continued):**

### **E. NONSEGREGATED FACILITIES POLICY**

JB Holland Construction, Inc. certifies that it will provide nonsegregated facilities for our employees. No employees will be denied access to adequate facilities on the basis of sex or disability.

### **F. TRAINING AND PROMOTION POLICY**

JB Holland Construction, Inc. together with the Associated General Contractors of Iowa has a formal training and promotion program called Highway Industry Training (HIT). HIT is an approved Iowa Department of Transportation benchmarked program. The program has three different on-the-job (OJT) hour levels including: 520 hours minimum, 1040 standard and 2080 maximum. Along with the OJT hours, each trainee will be required to complete 20 hours of classroom training through AGCI.

At this time, our company offers training programs in the following job classifications:

Backhoe  
Bulldozer  
Mechanic  
Motor Grader, Rough  
Motor Grader, Finish  
Roller, Pneumatic (Self-Propelled)  
Scraper  
Tandem Axle or Semi-Trailer Truck Driver  
Oiler  
Pipe-Layer

For further information, copies of qualifications and outlines of individual job classification training program outlines, you must request them from:

William F. Holland, VP  
2092 Hwy 9 West, Decorah, IA 52101  
Phone (563)382-2901

## **HARASSMENT POLICY STATEMENT:**

Harassment, including sexual harassment is contrary to the basic standard of conduct between individuals and is prohibited by federal and state law. It will constitute a violation of JB Holland's policy for any employee to engage in any of the following acts or behaviors as defined below and such misconduct will be subject to corrective action up to and including termination.

Employees who feel they have been discriminated against on the basis of race, religion, color, national origin, disability, age, sex, or any other classification protected by federal, state, or local laws, or have in any manner been harassed, should immediately report such incidents according to the Company's procedure outlined below.

Furthermore, this policy applies to all of JB Holland's employees, as well as non-employees, such as, but not limited to; vendors, contractors, trades people, etc.

# GENERAL POLICY

Page 3 of 20

---

## **HARASSMENT POLICY STATEMENT: (Continued)**

### **Harassment:**

Includes, but is not limited to:

Verbal, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her protected basis; e.g. race, religion, color, national origin, disability, age, and sex and that

- has the purpose or effect of creating an intimidating, hostile, or offensive working environment.
- has the purpose or effect of unreasonably interfering with an individual's work performance; or
- otherwise adversely affects an individual's employment opportunities.

### **Sexual Harassment:**

Includes, but is not limited to:

Unwelcome sexual advances, request for sexual favors, and other verbal or physical gestures. Conduct of a sexual nature constitutes sexual harassment when

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
- submission or rejection of such conduct is used as the basis for an adverse employment decision affecting the individual.
- such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

### **Prohibited Behaviors:**

The behaviors listed below are not intended to be all-inclusive but are merely illustration of prohibited conduct:

- use of suggestive comments, sexual language, obscene gender-related comments, or jokes;
- pressure for sexual behavior;
- giving unwanted gifts;
- sexual remarks about a person's body, or sexual activities;
- patting, pinching, kissing, or unnecessary body contact;
- sexually suggestive non-verbal expressions;
- the display in the work place of sexually suggestive objects or pictures;
- physical assault.

There are other types of behavior that could be considered a violation of this policy and that could result in discipline up to and including termination. JB Holland Construction, Inc. reserves the right to exercise judgement in determining other types of prohibited behavior.

# GENERAL POLICY

Page 4 of 20

---

## **HARASSMENT POLICY STATEMENT** (Continued)

### **Reporting Harassment:**

Complaints of harassment of any type should be reported immediately so that an investigation and corrective action can be taken, if appropriate. If an employee has such a complaint, he or she should contact management through any of the following channels:

- Employee's Supervisor
- Any Other Person in Management

An investigation will be promptly undertaken and appropriate disciplinary actions and corrective measures will be instituted if the employee's allegations warrant such action. Persons who commit acts of intimidation or other harassing behavior of any type, will be warned to discontinue such conduct and will be disciplined according to the severity of the case. Discipline may include actions up to and including termination of employment.

Employees are assured that this policy has been established for their benefit and to allow them the freedom of expressing their feelings and/or complaints. No employee need fear that he or she will be penalized for registering a harassment complaint. The management of JB Holland Construction, Inc. is dedicated to removing all forms of harassment and will strive to conduct a prompt and impartial investigation and resolution of any complaint.

## **RADIO USAGE**

JB Holland two-way radios in its' equipment to aide in communication on the job between management and crews. Personal conversations are to be restricted so the radio's usage is available for company usage whenever needed. Radio signals are transmitted and can be monitored by governmental entities and outside parties. Use of vulgarities or any language that could be deemed offensive or in violation of JB Holland's EEO policy or Harassment policy is prohibited. Violation of this policy will result in disciplinary action as outlined in JB Holland's Disciplinary actions.

## **WORKPLACE VIOLENCE POLICY:**

JB Holland Construction, Inc. will not tolerate, in any manner, any threats, acts, or intent to commit a violent act that jeopardized or appears to jeopardize the safety of employees, visiting guests, or company property.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on company property is subject to immediate removal from the premises. Persons removed from the premises will remain off the property, pending the outcome of an investigation of the incident.

If an investigation substantiates that violations of this policy have occurred, the Company will initiate a decisive and appropriate response. This response may include, but is not limited to:

- Suspension or termination of employment;
- Suspension or termination of any business relationship;
- Seeking the arrest and prosecution of all persons involved.

You are responsible for reporting threats or threatening behavior to your supervisor or a company officer.

# GENERAL POLICY

Page 5 of 20

---

## **SOCIAL MEDIA POLICY:**

With the rise of new media and next generation communications tools, the way in which JB Holland Construction (JBHC) employees can communicate internally and externally continues to evolve. While this creates new opportunities for communication and collaboration, it also creates new responsibilities for JBHC employees. This Social Media Postings Policy applies to any online media where information may reflect back on the image of JBHC, any JBHC Personnel and clients. This applies to all forms of social media including, but not limited to:

- Multi-media and social networking websites such as but not limited to MySpace, Facebook, Twitter, Snapchat, Instagram, LinkedIn, Yahoo! Groups and YouTube
- Blogs
- Wikis such as Wikipedia and any other site where text can be posted

All of these activities are referred to as “Social Media postings” in this Policy. Please be aware that violation of this policy may result in disciplinary action up to and including termination. Common sense is the best guide if you decide to post information in any way relating to JBHC. If you are unsure about any particular posting, please contact the Office Manager at (563)382-2901 for guidance.

Your social media postings should not disclose any information that is confidential or proprietary to the company or to any third party that has disclosed information to JBHC. If you comment on any aspect of the company’s business or any policy issue in which the company is involved and in which you have responsibility, you must clearly identify yourself as a JBHC employee in your postings or blog site(s) and include a disclaimer that the views are your own and not those of JBHC. In addition, JBHC employees should not circulate postings they know are written by other JBHC employee without informing the recipient that the author of the posting is a JBHC employee. Your posting should reflect your personal point of view, not necessarily the point of view of JBHC. Because you are legally responsible for your postings, you may be subject to liability if your posts are found defamatory, harassing, or in violation of any other applicable law. You may also be liable if you make postings which include confidential or copyrighted information (music, videos, text, etc.) belonging to third parties. All of the above mentioned postings are prohibited under this policy.

When posting your point of view, you should neither claim nor imply you are speaking on JBHC behalf, unless you are authorized in writing by your manager to do so. If you identify yourself as a JBHC employee on any posting, refer to the work done by JBHC or provide a link on a JBHC website, you are required to include the following disclaimer in a reasonably prominent place: “the views expressed on this post are mine and do not necessarily reflect the views of JBHC.” Your social media postings should not include JBHC’s logos, and should respect copyright, privacy, fair use, financial disclosure, and other applicable laws. Your social media postings should not violate any other applicable policy of JBHC, including those set forth in the Employee Handbook. You agree that JBHC shall not be liable, under any circumstances, for any errors, omissions, loss or damages claimed or incurred due to any of your social media postings. JBHC reserves the right to suspend, modify, or withdraw this Social Media Postings Policy, and you are responsible for regularly reviewing the terms of this Social Media Postings Policy.

# GENERAL POLICY

Page 6 of 20

---

## **IMMIGRATION REFORM & CONTROL ACT OF 1986:**

It is the policy of JB Holland Construction, Inc. to adhere to the provisions of the Immigration Reform and Control Act of 1986, which by law provides for the employment of American citizens and aliens who are authorized to work in the United States. This will ensure the completion and retention of the one page form (I-9) required to verify employment eligibility.

## **COBRA – THE CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT OF 1986:**

JB Holland Construction, Inc. adheres to the provisions of COBRA. COBRA provides employees and their dependents the opportunity for continuation of their health care plan coverage if it is lost due to one of the following qualifying events:

- Death of the employee covered under the health plan;
- Termination (for reasons other than gross misconduct) or reduction of hours for the eligible employee;
- Dissolution of marriage or legal separation of the eligible employee from the employee's spouse;
- The eligible employee is entitled to Medicare, if these entitlement results in a decision to drop out to the group health plan;
- Dependent children cease "dependent status" (such as attaining the maximum plan age, marriage, etc.); or
- Individuals receiving medical benefits from an employer involved in a Chapter 11 bankruptcy proceeding.

## **INTRODUCTORY PERIOD:**

All new employees work on an introductory period basis for their first 60 calendar days. The new employee should use this period of time to determine whether the new position meets his/her expectations. JB Holland Construction uses this period to evaluate employee capabilities and work habits. .

Either the employee or JB Holland Construction may end the employment relationship at will at any time during or after the introductory period, with or without advance notice.

If the employee's supervisor determines that the introductory period does not allow sufficient time to thoroughly evaluate the employee, the employee's supervisor may extend the introductory period.

At the completion of the first 60 calendar days of employment, the employee's supervisor will discuss with the employee their general work performance to date. At that time, it will be determined if the introductory period should be extended.

# GENERAL POLICY

Page 7 of 20

---

## **FAMILY AND MEDICAL LEAVE OF ABSENCE:**

### Policy:

It is our policy to grant up to 12 weeks of family or medical leave during any 12 month period, as defined in this policy, to eligible employees, in accordance with the Family and Medical Leave Act of 1993 (FMLA). The leave may be paid, unpaid, or a combination of paid and unpaid, depending on the circumstances.

### Eligibility:

In order to qualify to take family or medical leave under this policy, the employee must meet ALL of the following conditions:

- The employee must have worked for at least 12 months, or 52 weeks. The twelve months or 52 weeks, will not need to have been consecutive. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week for if the employee is on approved leave during the week.
- The employee must have worked for at least 1250 hours during the twelve month period immediately before the date when the leave would begin.
- The employee must work in JB Holland's office or worksite where 50 or more JB Holland's employees are employed within 75 miles of that office or worksite.

### Type of Leave Covered

In order to qualify for FMLA "family leave" under this policy, the employee must be taking the leave for reason one or two listed below:

- The birth of a child or to take care for that child; or
- the adoption of a child or placement of a child for foster care;

In order to qualify as FMLA "medical leave" under this policy, the employee must be taking the leave for reason three or four listed below:

- to care for a spouse, child or parent with a serious health condition (described below); or
- the serious health condition (described below) of the employee.

An employee may be eligible to take medical leave because of a serious health condition that makes the employee unable to perform the essential functions of the employee's position.

A serious health condition is defined as a condition which requires inpatient care at a hospital, hospice, or residential medical facility, or a condition which requires continuing care by a licensed health care provider.

This policy covers illness of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long term health condition which, if left untreated, would result in a period of incapacity of more than three days, would be considered a serious health condition.

Employees with questions about what illnesses are covered by this FMLA policy or under JB Holland's sick leave policy are encouraged to consult with their immediate supervisor or the Human Resources department.

For "medical leave", reasons three (3) and four (4) above, employees will be required to provide a doctor's certificate of the serious health condition. The certification process is outlined.

An eligible employee can take up to 12 weeks of leave under this policy during a 12-month period. For purposes of computing the 12-month period for FMLA leave, JB Holland Construction

# GENERAL POLICY

Page 8 of 20

---

## **FAMILY AND MEDICAL LEAVE OF ABSENCE (Continued)**

will measure forward from the first date that FMLA leave is used by the employee. This measurement will not go back before August 5, 1993. Each time an employee takes leave, the

employer will compute the amount of leave the employee has taken under this policy and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at the time.

### **Employee Status and Benefits During Leave:**

While an employee is on approved FMLA leave, JB Holland Construction will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee has continued to work. This means that the employer will continue to pay its share of an employee's health premiums the same as if the employee was working during the FMLA leave period. The employee, however, will remain responsible for payment of the employee's share of his/her health insurance premiums just as if the employee was working during the FMLA leave period.

If the employee chooses not to return to work for reasons other than a continued health condition or an approved extension of their leave of absence; the employer may require the employee to reimburse the employer for the amount it paid for the employee's health insurance premium during the leave period.

If the employee's FMLA is unpaid leave, the employee must continue to make his/her portion of the premium payment, either in person or by mail. The payment for next month's premiums must be received, at JB Holland's office, by the last day of the current month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave or the employer may recover the payments at the end of the leave period in a manner consistent with the law.

Employees on approved FMLA leave, under some circumstances, may be ineligible to accrue all or some benefits while on leave. All questions about benefit status while on leave should be directed to the Human Resources Coordinator, Diane Henry.

Employees found violating the purpose of the leave such as working elsewhere or locating another position, may be subject to disciplinary action, up to and including termination.

### **Employee Status After Leave:**

An employee who takes leave under this policy will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms. The position will be the same or which entails substantially equivalent skill, effort, responsibility, and authority.

Employer reserves the right to exempt certain key employees from this requirement and not return them to the same or similar position. Employees will be notified at the time of the request if they are deemed to be key employees for the purposes of FMLA and if there is any possibility that their reinstatement may be denied.

### **Intermittent Leave or a Reduced Work Schedule:**

The employee may take FMLA leave in 12 consecutive weeks, or if the leave is "medical leave," may, under certain circumstances, use the leave intermittently (take a day periodically when needed over the year), or use the leave to reduce the work week or work day, resulting in a

## **FAMILY AND MEDICAL LEAVE OF ABSENCE** (Continued)

reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks over a 12-month period.

JB Holland Construction, Inc. may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

“Family Leave” must be taken within one year of the birth or placement of the child and cannot be taken on an intermittent or reduced schedule without prior approval from the employer.

### **Certification of the Serious Health Condition:**

JB Holland Construction, Inc. will require certification of a serious health condition of an employee or parent, child, or spouse and may require rectification as deemed appropriate by JB Holland. The employee shall respond to such a request within 15 days of the request, or provide a reasonable explanation for the delay. Failure to provide certification in a timely manner or provide a reasonable explanation of the delay, may result in a postponement of the start of the leave or denial of continuation of leave.

If the employee plans to take intermittent leave or work a reduced schedule as part of his/her “medical leave,” the certification must also include dates and the duration of treatment and a statement of medical necessity for taking intermittent leave or working a reduced schedule.

JB Holland Construction, in appropriate cases, reserves the right to ask for a second opinion. JB Holland will pay for the employee to get a certification from a second doctor, which the company will select.

If necessary to resolve a conflict between the original certification and the second opinion, the employer may require the opinion of a third doctor. JB Holland Construction and the employee will jointly select the third doctor, and JB Holland will pay for the opinion. This third opinion will be considered final.

JB Holland Construction will require an employee on FMLA “medical leave” due to the employee’s own serious health condition, to obtain a fitness to return to duty slip before returning to work at the end of the FMLA leave period.

# EMPLOYMENT PRACTICES

Page 10 of 20

---

## **CLASSIFICATION OF EMPLOYMENT**

Employees are grouped in the following classifications:

- **Regular Full-Time** – Employees who are regularly scheduled to work an average of thirty two (32) or more hours per week and who are eligible for Company benefits.
- **Regular Part-Time** – Employees who are regularly scheduled to work less than thirty two (32) hours per week and who are not eligible for Company benefits.
- **Temporary/Seasonal** – Employees who are scheduled to work a temporary/seasonal assignment, working less than and/or more than thirty two (32) hours per week and who are not eligible for Company benefits.

Employees will be informed of their classification at their time of hire. Once an employee has been classified, the employee's status will remain unchanged unless the employee's supervisor requests a change in his/her classification. Upon such request, the employee's classification will be reviewed, and will be changed if, in the sole discretion of management, such a change is warranted. The employee will be informed in writing if a change in his/her classification is approved.

Classification as regular full-time, regular part-time, and/or temporary/seasonal shall not be construed as guarantee of, or a limitation upon, the number of hours for which an employee may be scheduled to work in any given period of time.

## **ABSENTEEISM AND TARDINESS:**

JB Holland's success is dependent upon providing quality service to its customers as well as meeting and/or exceeding established Company goals. Absences and/or tardiness by employees can be disruptive, expensive, and can place an unfair burden on the Company as well as other employees. Therefore, regular and prompt attendance of all employees is crucial to meeting the Company's goals.

### **Absence:**

If an employee knows he/she will be unable to work all or part of their scheduled work hours, the employee's supervisor must be notified within one-half hour of the start of their scheduled work hours, stating the reason for the absence.

Giving advance notice does not guarantee the absence will be excused.

The employee **MUST PERSONALLY** call their supervisor (or leave their supervisor a voice mail message), unless they are physically unable to call due to an emergency, in which case another person may notify the employee's supervisor as soon as possible.

### **Lack of Notification:**

An employee who is absent three consecutive workdays without providing any notification, will be considered to have resigned, and will be issued their final paycheck.

### **Tardiness:**

Tardiness is defined as being late at the beginning of an employee's scheduled work time or following lunch and/or break periods, regardless of how much time has passed.

# EMPLOYMENT PRACTICES

Page 11 of 20

---

## **ABSENTEEISM AND TARDINESS: (cont.)**

### Discipline:

Discipline for violation of this policy may result in one or a combination of the following actions:

- Oral warning;
- Written warning;
- Suspension without pay; or
- Termination

Although one or more of these actions may be taken in connection with a particular employee, no formal order system is necessary. Furthermore, JB Holland Construction, Inc. retains the right to end the employment relationship at will, at any time, for any reason.

## **DISCIPLINARY ACTIONS:**

The management of JB Holland Construction, Inc. has established policies/practices to be followed by all employees. These policies/practices are intended to benefit and protect the Company and its employees.

When an employee commits an offense for which he/she is not immediately terminated, a supervisor may warn the employee orally or in writing that the conduct must cease or further discipline, including termination, can result.

Written warnings are to be signed by the employee and a supervisor, and the employee shall receive a copy of it. The disciplinary form used for warning(s) does not require the employee to agree that he/she committed an offense warranting discipline, but the employee must acknowledge having been given a warning. An employee refusing to sign the written warning is subject to immediate termination.

All warnings are documented in an employee's personal file. Warnings will remain active in an employee's file for a minimum of (1) one year, which upon approval of management may be removed depending on severity of offense. Following one active written warning a subsequent warning will result in a one day suspension (with pay). Immediately upon return to work from suspension, employee is to present a corrective action plan to the supervisor recognizing the problem and how the employee plans to prevent the action from reoccurring. If employee fails to provide an acceptable corrective action plan, this will be considered an insubordination of work for which JB Holland Construction reserves the right to immediately terminate employment.

The offenses listed below are not intended to be all-inclusive but are merely illustration of unacceptable conduct. There are other types of situations and or conduct that could result in disciplinary action. JB Holland Construction, Inc. reserves the right to exercise judgement in determining other behavior that might be subject to discipline.

- Violation of the Absenteeism and Tardiness Policy
- Theft
- Violation of the Alcohol & Drug Policy
- Insubordination
- Not Meeting Requirements of Job Description
- Safety Violations
- Falsification of Records
- Possession of a Firearm
- Unauthorized Leave From Premises During Work Hours
- Violation of the Harassment Policy

# EMPLOYMENT PRACTICES

Page 12 of 20

---

## **DISCIPLINARY ACTIONS: (cont.)**

Destroying or Damaging Company Property/Equipment  
Failure to Complete Jobsite Inspections

Discipline may occur in one or a combination of the following:

- Oral warning
- Written warning
- Suspension, with immediate corrective action plan, or
- Termination

Although one or more of these actions may be taken in connection with a particular employee, no formal order or system is necessary. Furthermore, JB Holland retains the right to end the employment relationship at will, at any time, for any reason.

## **TERMINATION/RESIGNATION/EXIT INTERVIEW**

### Termination:

Upon termination of employment for any reason, the employee will promptly surrender to the Company all correspondence, written memoranda, diagrams, books, records, notebooks, and all copies related to any information about the Company, whether prepared by the employee or by others.

### Resignation and Exit Interview:

Employees deciding to resign, are requested to inform their supervisor at least two weeks in advance. This provides JB Holland with time to make arrangements for filling the employee's position. Employees who are resigning will also be requested to participate in an exit interview, at which time employees will be asked to return all Company property that may be in the employee's possession.

JB Holland Construction, Inc. reserves the right to offer two week's pay in lieu of two weeks' notice if, at the sole discretion of the Company, it is believed to be in the best interest of the Company to do so.

Employee's final pay will be processed at the next regularly scheduled pay period. Employees will also be sent W-2 tax forms in accordance with federal and state regulations. Therefore, it is important for employees to provide the office with their current mailing address.

# WAGE AND SALARY ADMINISTRATION

Page 13 of 20

---

## **FEDERAL WAGE AND HOUR CLASSIFICATIONS:**

### **Exempt:**

Employees who meet the exempt classification as an administrative, executive, professional, or outside sales person and who are not eligible for overtime pay.

### **Non-Exempt:**

Employees who meet the non-exempt criteria as outlined by federal wage and hour laws and who are eligible for overtime pay.

## **OVERTIME:**

The standard work week of JB Holland Construction is 52 hours per week (weather permitting). Hours worked in excess of forty (40) hours per week will be paid for at one and one-half (1 ½) times your regular time hourly rate.

## **FRINGE BENEFITS:**

### **FRINGE WAGE**

A fringe wage of up to \$6.04/hour may be contributed to an approved benefit plan for an employee. On both federal and non-federal wage jobs, contributions may be applied towards approved fringe plans as follows:

- \$4.35/hr to a health plan
- \$ .06/hr to a vision plan
- \$ .10/hr to a life plan
- \$ .18/hr to a short term disability plan
- \$1.35/hr to a pension plan

### **PENSION**

JB Holland Construction, Inc. offers a Retirement & 401(K) & Profit Sharing Plan for all employees. Provided you are not an Excluded Employee, you will be eligible to participate in the Plan if you have completed 90 days of service and have attained age 18. JB Holland will contribute to the Retirement Plan on your behalf an amount equal to \$1.35 for each hour of service. Contributions may be made by the employee to the 401(K) & Profit Sharing Plan within the guidelines of the Plan Documents. Please inquire with the office for further information.

### **MEDICAL HEALTH INSURANCE**

JB Holland Construction Inc. offers health insurance for all eligible employees. An employee eligible to participate in the medical insurance is classified as a full-time permanent employee and has completed 90 days of service. Effective date of the insurance is the first of the month within the 90 day eligibility date.

From the period of April 1 through March 31, a fringe wage of up to \$4.35 per hour for 1250 hours per year will be contributed towards a health insurance policy. JB Holland reserves the right to utilize the designated fringe wage on Federal Wage or any wage scale project.

# WAGE AND SALARY ADMINISTRATION

Page 14 of 20

---

## **FRINGE BENEFITS (Continued):**

Only if an employee elects to waive health coverage will the fringe on a Federal Wage or any wage scale project be paid to the Supplemental Unemployment Benefit Plan and Trust.

An employee must work 1250 hours per year or be subject to payment for the difference. An employee may elect health coverage for a dependent(s) with a pre-tax amount per hour deducted from the employee's check based on 1250 hours per year.

## **VISION INSURANCE**

JB Holland Construction Inc. offers vision insurance for all eligible employees. An employee is eligible to participate if classified as a full-time permanent employee and has completed 90 days of service. The effective date of the insurance will begin on the first of the month following the eligibility date. Enrollment in the vision insurance is mandatory for all eligible employees. From the period of April 1 through March 31, a fringe wage of up to \$ .06 per hour for 1250 hours per year will be contributed towards the vision insurance policy. JB Holland reserves the right to utilize the designated fringe wage on Federal Wage or any wage scale project.

An employee must work 1250 hours per year or be subject to payment for the difference. An employee may elect vision coverage for a dependent(s) with a pre-tax amount per hour deducted from the employee's check based on 1250 hours per year.

## **SHORT TERM DISABILITY INSURANCE**

JB Holland Construction Inc. offers short-term disability insurance for all eligible employees. An employee is eligible to participate if classified as a full-time permanent employee and has completed 90 days of service. The effective date of the insurance will begin on the first of the month following the eligibility date. Enrollment in the disability insurance is mandatory for all eligible employees. From the period of April 1 through March 31, a fringe wage of up to \$ .18 per hour for 1250 hours per year will be contributed towards the short term disability insurance policy. JB Holland reserves the right to utilize the designated fringe wage on Federal Wage or any wage scale project.

An employee must work 1250 hours per year or be subject to payment for the difference.

## **LIFE INSURANCE**

JB Holland Construction Inc. offers life insurance for all eligible employees. An employee is eligible to participate if classified as a full-time permanent employee and has completed 90 days of service. The effective date of the insurance will begin on the first of the month following the eligibility date. Enrollment in the life insurance is mandatory for all eligible employees. From the period of April 1 through March 31, a fringe wage of up to \$ .10 per hour for 1250 hours per year will be contributed towards the life insurance policy. JB Holland reserves the right to utilize the designated fringe wage on Federal Wage or any wage scale project.

Upon termination of employment with JB Holland Construction Inc., an individual life policy, known as a conversion policy, may be purchased from the Life Insurance Company. Please inquire with the office for further information.

If an employee becomes disabled while employed with JB Holland Construction Inc., JB Holland Construction may elect to continue the life insurance for an employee whom has five

# WAGE AND SALARY ADMINISTRATION

Page 15 of 20

---

or more consecutive years of service. Premiums may be paid by JB Holland Construction for a period of up to five years from the last day the employee ceased working. An employee may elect to continue coverage after the five years but is responsible for the premiums.

## **SUPPLEMENTAL UNEMPLOYMENT BENEFIT PLAN AND TRUST**

This section is intended to provide you, the employee, a better understanding of the company's wage and hour policy. During the course of your employment you will be assigned to projects and will be paid the appropriate rate for your employment occupation classification. However, from time to time, you will be sent to projects which are covered under a prevailing wage (Davis-Bacon Wage Determination) requirement. When you are assigned to a prevailing wage project, your wages are determined largely in part by the Department of Labor's wage determination for that particular project. These rates will vary from project to project. By law, we have posted on our project boards, the Davis-Bacon wage determination applicable to that particular project.

It is our company policy to strictly abide with the various prevailing wage laws. All employees on prevailing wage projects can expect your base wage to be based upon the appropriate wage decision as outlined in our contract documents and posted on the project sign board for the project you are working on. All fringe wages shall be paid in the form of ***bona fide*** fringe benefits. Since fringe wages are considered an employer contribution, we are permitted by Department of Labor rules, to deduct from the hourly fringe rate the hourly cost of our health insurance, apprentice, and retirement plans, which we will continue to do. All excess fringe wages will be paid to First American Wealth Management Group, trustee for the NeuBridg, Inc. Supplemental Unemployment Benefit Plan and Trust. This plan is designed to compensate you for the times when you have short weeks due to weather or when you get laid off. The plan is described in further detail on NeuBridg's website and in the summary plan document.

## **OPTIONAL BENEFITS:**

### AFLAC

There are a number of other benefits that can be purchased at special rates through AFLAC. Depending on the type of plan, these supplemental health benefits provide an optional health insurance coverage that enhances existing coverage, reimbursing for expenses not covered by current health plans. These expenses include deductibles, co-payments, out-of-network charges, loss of income associated with an accident or illness, non-medical out-of-pocket expenses that are often incurred during a medical emergency. If you elect to enroll in any of these plans, you must authorize the Company to deduct the cost from your paycheck for payment directly to AFLAC. Contact AFLAC for further details.

### WELLNESS SCREENING INCENTIVE

JB Holland Construction offers a wellness screening incentive for employees that are on the Group Medical Insurance. Annual screenings and age-appropriate diagnostic screenings are covered under the health plan at no additional cost to the employee. Employees who complete the screening and submit the screening form to either the Office Manager or Holmes Murphy will receive a \$50 gift card from selected vendors and be eligible for a grand prize drawing of a \$200 gift card at the annual employee meeting. Contact the Office Manager for further details.

# WAGE AND SALARY ADMINISTRATION

Page 16 of 20

---

## **TIME OFF POLICY**

JB Holland Construction Time Off Policy provides a guideline for employees to take personal time off from a scheduled work shift to use as the need or desire arises. Time off may be paid if an employee qualifies for Vacation Leave otherwise requested time off will be unpaid and will not qualify for unemployment. Upon employment, an employee accrues 1 hour for every 24 hours worked. A maximum of 104 hours will be accrued per year of unpaid time off. A minimum of 6 hours will be used for every half day requested and a maximum of 12 hours for a full day. If there is any unused time off hours at the end of the calendar year, a maximum of 24 hours may be carried over to the next calendar year. *All existing employees prior to the implementation of this policy (policy effective 4/1/14) will have 24 hours of carry over time off.* Unexpected or unforeseeable circumstances such as jury duty, military duty, bereavement leave, short-term or long-term disability leave, workers compensation, family and medical leave, sabbatical, or community service leave are not included in the time off policy and are subject to the review and approval of management.

### **Scheduling Time Off**

JB Holland Construction will attempt to grant all employees time off at the time they desire to take it. However, JB Holland Construction must maintain adequate staffing at all times. Therefore, time off must be scheduled a minimum of 14 days in advance by contacting the Office Manager. Management will review and give notice within 7 days of the request or no later than 10 days prior to the requested time off if there is a conflict. Where conflicts develop, they will be resolved as fairly as possible. Preference will be given to the more senior employee, the employee who can demonstrate the greater need for time off at the conflicting time or the employee who makes the earliest request. If time off is requested less than 14 days in advance, then the time off will be considered an unexcused absence unless there are no staffing conflicts which is determined by the employees' immediate project foreman and/or project manager. A maximum of three unexcused absences will be allowed in one calendar year without being subject to disciplinary action.

## **VACATION POLICY**

### **Overview**

JB Holland Construction, Inc., concerned about the well-being of employees, views vacation leave as a benefit that enhances the employee's work and personal life balance.

### **PROVISIONS**

Regular full-time employees who are classified as either an **Equipment Mechanic (1 or 2)**, a **Project Foreman** or a **Lowboy Driver** who work an average of 32 or more hours per workweek for a minimum of 90 days are eligible for vacation leave benefits. Regular Part-Time or Temporary Seasonal employees or employees who are employed less than 90 days are not eligible for vacation leave benefits.

Eligible employees accrue vacation leave per pay period based on the employee's actual hours worked and years of service (refer to the Vacation Leave Chart for Eligible Employees). A maximum of 120 vacation leave hours may be accrued in a calendar year. Upon reaching that maximum accrual, the employee will not accrue additional vacation leave until the next calendar year. Employees may carry over vacation leave per calendar year but may not have more than 150 accrued vacation hours at any one time. Any accrued vacation leave exceeding that amount will be paid to employee as taxable wages either on or before December 31<sup>st</sup> OR on or before March 31<sup>st</sup>.

# WAGE AND SALARY ADMINISTRATION

Page 17 of 20

---

All vacation leave shall be paid at the employee's regular base rate and not added to the hours worked in computation of overtime. Per diem will not be paid on vacation leave wages.

Employee may request vacation to be paid without taking time off work.

The hourly accrual amount shall be credited to the employee's vacation leave account on the last day of each eligible pay period and may be utilized no earlier than the first workday of the following pay period.

Employees will be responsible for adding vacation leave as approved by management to their timecard by the established payroll deadline. Employees will be paid for only the hours they request.

## **REQUESTING VACATION LEAVE**

Requests for vacation leave should be submitted according to the "Time Off Policy" to allow adequate time for management to assess staffing and scheduling needs. Vacation leave may be granted for unanticipated absences where it has not been possible for an employee to plan in advance. When there are competitive requests for the same vacation dates, management will consider employees' previous leave use and frequency and ensure equitable treatment for all employees involved.

## **VACATION LEAVE FOR RE-HIRED EMPLOYEES**

Employees who were considered full-time eligible employees and are re-hired shall accrue vacation leave according to the total length of service with JB Holland Construction, Inc. This includes former employees with service prior to January 1, 2014.

## **COMPENSATION FOR ACCRUED LEAVE UPON TERMINATION**

Regular full-time employees with a minimum of 90 days service who terminate employment will be paid his/her regular rate of pay in one lump sum payment after termination.

In the event of the death of an employee, any accrued unused vacation leave hours up to 150 will be paid to the estate of the deceased employee in the same manner as above.

## **VACATION POLICY (cont.)**

## **VACATION LEAVE CHART FOR ELIGIBLE EMPLOYEES**

### **RATE OF PER-HOUR ACCRUAL**

|  |                |
|--|----------------|
| <b>90 days to three years of full-time employment:</b> | <b>.008 Hr</b> |
| <b>Four to eight years of full-time employment:</b>    | <b>.013 Hr</b> |
| <b>Nine to fourteen years of full-time employment:</b> | <b>.026 Hr</b> |
| <b>Fifteen or more of full-time employment:</b>        | <b>.040 Hr</b> |

# WAGE AND SALARY ADMINISTRATION

Page 18 of 20

---

## LODGING & MEALS PER DIEM:

### **OPERATORS, LABOR, TRUCK DRIVER & MECHANICS**

A Per Diem Allowance will be paid ONLY on NON Davis-Bacon Wage Jobs unless the wage rate on a Davis-Bacon Wage Job is less than or equal to an employee's NON Davis-Bacon base wage plus per diem. Fringe benefits paid in cash on federal wage jobs will affect your eligibility for full or partial or no per diem. The amount of per diem on Federal Wage jobs will be to the discretion of the payroll administrator. However, federal pay will not be less than your NON Davis-Bacon base wage plus per diem.

- \$40/Day Per Diem – 60 miles to 200 miles from place of residence\*\*  
\$55/Day Per Diem – 201 miles to 350 miles from place of residence\*\*\*  
Greater than 351 miles – subject to review of Management  
*\*\*Jobsite must be sixty (60) miles or more from place of residence to qualify for Per Diem. MAPQUEST or other mapping programs will be utilized to determine mileage.*  
*\*\*\*Per diem will be reduced to \$30/Day for employee(s) driving and/or riding in a company vehicle and traveling 201+ miles from place of residence (some exclusions may apply)*
- Per Diem will be paid for all workdays including rain days. *Rain day is defined as a planned workday that incurred inclement weather causing planned operations to cease for the day.* Updates will be posted on Facebook and on the jobsite inquiry line of **(888)271-8215**. Per Diem will not be granted if Facebook or the jobsite phone line has been updated correctly or an unsuccessful attempt to notify you ten (10) hours prior to the start of the work day was made. We encourage all employees to have an answering machine available at your place of residence.
- Payment for Per Diem incurred Sunday through Saturday will be issued the following Thursday with paychecks.
- The Per Diem is not taxable and therefore not included in W-2 totals. *Seek advise from a tax specialist for the reporting requirements of per diem on personal income taxes.*
- Per Diem will not be paid to those individuals utilizing a company vehicle for transportation to/from a jobsite from/to their place of residence.
- Per Diem not applicable to Shop wages.
- JB Holland reserves the right to increase Per Diem for a particular project.

### **OTR TRUCK DRIVERS HAULING EQUIPMENT**

Up to \$65.00/day for lodging may be paid to over the road truck drivers hauling equipment. Proof of receipt required, otherwise the above Per Diem policy applies.



# WAGE AND SALARY ADMINISTRATION

Page 20 of 20

---

## EMPLOYEE REFERRAL BONUS PROGRAM:

JB Holland Construction, Inc. is always looking for great people, and YOU can help! Research has shown, and our own experience supports, that hires who come into our organization through employee referrals are excellent contributors, stay with us longer and are more cost effective to recruit. If you know someone who you think would be a great addition to our organization and they meet the qualifications for an existing open requisition, it will be worth \$100.00 if you refer them for employment and they are hired.

Refer candidates who meet the qualifications to our HR department, if your candidate is hired you will be awarded \$100.00 within 60 days of their hire date!

The referral bonus program has very few rules but these follow:

1. The hiring of a referred employee must occur within six months of the initial referral date.
2. The referral must represent the candidate's first contact with our organization. Temporary contract and former employees are not eligible candidates for referral.
3. Once a referral is hired and completes 60 calendar days of service, the employee responsible for the referral will receive the referral bonus.
4. The first employee to refer a candidate will be the only referring employee eligible for payment. The employee's name must be listed on the employment application of the candidate.
5. All candidates will be evaluated for employment consistent with our organization's policies and procedures, and all information regarding the hiring decision will remain strictly confidential.

## JB HOLLAND CHARITABLE EMPLOYEE MATCH PROGRAM:

As a JB Holland employee, you can make even more of a difference for the cause you care about by taking advantage of the JB Holland Charitable Employee Match Program.

The Match Program encourages all employees to pursue their charitable giving goals. You can donate to IRS-qualified, 501(c)(3), public charities in all sectors including health and sciences, art and culture, community and human services, animals and environment, education and religion. (Religious organizations' principal purpose must be focused on projects that provide social services for the community at large).

All of your contributions to JB Holland Charitable will be considered by JB Holland for the Match Program in the amounts shown below.

| <u>Employee Contribution</u> | <u>JB Holland Match</u> |
|------------------------------|-------------------------|
| \$100 - \$249                | \$50                    |
| \$250 - \$499                | \$125                   |
| \$500 - \$749                | \$250                   |
| \$750 - \$999                | \$375                   |
| \$1000 - \$1499              | \$600                   |

To participate in the program:

1. Must be a regular full-time employee who has completed 90 days of service.
2. Provide evidence that the charity is an IRS qualified 501 (c) (3) public charity.
3. Post tax charitable contribution is made through an automatic payroll deduction.
4. Contributions made from April 1 through March 31 are eligible for the JB Holland match by March 31.
5. JB Holland will match a maximum of \$1,000 per employee per fiscal year.

# SAFETY

Page 20 of 20

---



## **SAFETY PROGRAM**

Establishing and maintaining a safe work environment is of great importance to the Company's management. Safety is the shared responsibility of the Company and its' employee. JB Holland Construction, Inc. will strive to provide a safe environment that complies with federal, state, and local safety regulations for all its' employees. You are expected to obey safety rules and to exercise caution in all work activities. You are asked to immediately report any unsafe conditions to your supervisor.

Employees will be informed on an individual basis of special safety regulations regarding particular jobs, including the required use of any necessary personal protective equipment.

All accidents shall be reported immediately to the employee's supervisor or JB Holland's Safety Director, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.

Violation of the safety policy may result in discipline up to and including termination.

New employees will be given adequate safety orientation, including how to report all accidents, availability of medical facilities and where to find information on hazards at our job sites. This will be followed by competent supervision. All employees are to perform their duties in a safe manner and never expose other employees to hazardous acts.

Please refer to JB Holland Construction Safety Manual for complete information on the company's safety policy.

**ACKNOWLEDGMENT OF RECEIPT  
AND UNDERSTANDING OF  
THE  
EMPLOYEE HANDBOOK AND EEO/AA POLICY**

I have received my copy of the employee handbook (*March 2018 revision*). I know that I must read the handbook so that I understand my rights and responsibilities as an employee of JB Holland Construction, Inc. I also understand the importance of JB Holland Construction, Inc. EEO/AA policy and acknowledge receipt of this policy in the handbook.

I understand that the handbook is not an employment contract, but it is an explanation of Company policies. The Company has not solicited my assent or agreement to the policies and procedures set forth in this handbook, and my employment is not in consideration of or in return for my being bound by this handbook. I realize that JB Holland Construction may interpret, clarify, revise, and/or deviate from the procedures set forth in this handbook.

I also realize the employment relationship between JB Holland Construction and me is terminable at will by either party and that nothing in this handbook creates additional rights or provides a basis for me to believe my employment is not terminable at will.

I understand that if I have any questions, I am to talk to my supervisor or management.

---

*(Employee Signature)*

---

*(Date)*

---

*Employee Name (Typed or Printed)*