

# EMPLOYEE HANDBOOK



**O'NEILL LOGISTICS  
NEW JERSEY WAREHOUSE**

**EFFECTIVE: JULY 2022**

## Table of Contents

<b>INTRODUCTION .....</b>	<b>5</b>
Welcome to O'Neill Logistics! .....	5
History .....	5
Mission and Vision .....	5
Core Values .....	5
Handbook Purpose .....	6
<b>EMPLOYMENT .....</b>	<b>8</b>
Equal Employment .....	8
Background Checks .....	9
At-Will Notice .....	9
Anniversary Date and Seniority .....	9
Immigration Law Compliance .....	9
Introductory Period .....	9
Employment Classifications .....	10
Personnel Records .....	11
Employee References .....	11
Job Transfers .....	11
<b>CONDUCT AND BEHAVIOR .....</b>	<b>12</b>
General Conduct Guidelines .....	12
Sexual and Other Unlawful Harassment .....	13
Abusive Conduct .....	14
Complaint Procedure .....	15
Corrective Action .....	15
<b>COMPENSATION .....</b>	<b>16</b>
Pay Periods .....	16
Timekeeping (non-exempt employees) .....	16
Reporting Time Pay (non-exempt employees) .....	16
Overtime (non-exempt employees) .....	17
Payroll Deductions (exempt employees) .....	17
Pay Adjustments, Promotions and Demotions .....	17
Performance Evaluation .....	18
Work Assignments .....	18
Expense Reimbursement .....	18
Advances and Loans .....	20
<b>BENEFITS .....</b>	<b>21</b>
Holidays .....	21
Sick Leave .....	21
Vacation .....	22
Personal Days .....	23
Public Health Emergency Leave .....	23
Health and Welfare Benefits .....	23
Continuation of Benefits .....	24
State Disability Insurance .....	24

Family Leave Insurance.....	25
New Jersey Family Leave Act.....	25
Temporary Disability Leave.....	26
Military Leave.....	26
Volunteer Emergency Responder Leave.....	27
Jury Service Leave.....	27
Witness Leave.....	27
New Jersey Security and Financial Empowerment Act.....	27
Organ & Bone Marrow Donation Leave.....	28
Family and Medical Leave Act.....	28
Personal Leave of Absence.....	30
Bereavement Leave.....	30
<b>HEALTH, SAFETY, AND SECURITY.....</b>	<b>31</b>
Non-Smoking.....	31
Drug and Alcohol.....	31
Reasonable Accommodations.....	32
Injury and Accident Response and Reporting.....	32
Workers' Compensation.....	32
Workplace Violence and Security.....	33
Driving Safety.....	33
Inclement Weather and Outages.....	34
<b>WORKPLACE GUIDELINES.....</b>	<b>36</b>
Hours of Work.....	36
Off-the-Clock Work.....	36
Meal Periods.....	36
Lactation Accommodation.....	36
Attendance and Tardiness.....	36
Personal Appearance and Hygiene.....	37
Confidentiality.....	38
Solicitation and Distribution.....	38
Conflict of Interest.....	39
Business Gifts.....	39
Outside Activities.....	39
Reporting Irregularities.....	40
Inspections and Searches.....	40
Hardware and Software Use.....	40
Social Media.....	41
Personal Cell Phone Use.....	42
Personal Property.....	42
Parking.....	42
<b>EMPLOYMENT SEPARATION.....</b>	<b>43</b>
Resignation.....	43
Termination.....	43
Personal Possessions and Return of Company Property.....	43

**EMPLOYEE HANDBOOK ACKNOWLEDGEMENT .....44**  
O'Neill Logistics ..... 44

## INTRODUCTION

### **WELCOME TO O'NEILL LOGISTICS!**

We're very happy to welcome you to our Company. Thanks for joining us! The Company would like you to feel that your employment with us will be mutually beneficial and enjoyable.

You are joining an organization that has established an outstanding reputation for quality products and services. Credit for this goes to every one of our employees and we hope that you will find satisfaction and take pride in your work here.

### **HISTORY**

We provide services to our customers in the logistics, transportation, warehouse and supply chain areas across all industries. We contour the best solution based on their service needs, flexibility and cost optimization requirements. Our analysis are based on our knowledge and experience acquired in hundreds of client engagements during the past twenty years, developing and implementing strategies for some of the world's best known companies

We offer consultancy and logistic services that vary in complexity, detail, data requirements, and scenarios as well as project duration in the following areas.

- Supply Chain
- Transportation
- Government Importation & Regulatory Compliance
- Warehousing & Distribution
- Safety & Compliance

### **MISSION AND VISION**

O'Neill Logistics' purpose is to create opportunities for others to become the best version of themselves. Our Core Values define our company culture and should be present in all aspects of what we do.

### **CORE VALUES**

- Dedicate Your Service - to your team, your company, your community and above all else to the Customer.
- Do Right - we do the right thing the first time. Should we make a mistake, we are honest and act with integrity. We understand a single lie destroys a whole reputation of integrity.
- Challenge Yourself - never settle for anything short of extraordinary. Continuously improve all aspects of what you do. Success is never final! Constantly strive to become the best version of yourself.

- Continuously improve - all aspects of what you do. Success is never final! Constantly strive to become the best version of yourself.

#### Guiding Principles:

- Do Now - We have a strong sense of urgency to get the job done in a timely fashion. We know the true value of time and should never put off till tomorrow what can be done today.
- Be Kind - We treat everyone with respect, and we make the effort of appreciating all those around us.
- Be Positive - Always turn a negative situation into a positive one. Positive thinking will let you do everything better than negative thinking will.
- Be Innovative - We strive to "think outside the box"; to create new ideas and develop new processes that take us beyond all expectations.
- Be Contrarian - We strive to constantly challenge the norm, but we do it in a manner that's respectful of others
- Problem Solve - We see problems as opportunities; as challenges that we face head - on and conquer with sustainable solutions.
- Keep it Simple - It takes time to make time. You can't create time for the things you enjoy if you don't take time to rethink what you're doing now. Simple is effective.
- Have Fun - We understand the power of happiness and we strive to create an environment in which we can succeed both personally and professionally.
- Live to Learn - We "go and see" to understand deeply what's happening. We are careful to learn from the best, but we reflect on our experiences and find our own way.
- COMMUNICATE, COMMUNICATE, COMMUNICATE!!! - When all other forms of communication fail, try words. However, the most important thing in communication is to hear what isn't being said.

#### **HANDBOOK PURPOSE**

This employee handbook is presented as a matter of information and has been prepared to inform employees about the Company's philosophy, employment practices, policies, and the benefits provided to our valued employees, as well as the conduct expected from them. While this handbook is not intended to be a book of rules and regulations or a

contract, it does include some important guidelines which employees should know. Except for the at-will employment provisions, the handbook can be amended at any time.

This employee handbook will not answer every question employees may have, nor would the Company want to restrict the normal question and answer interchange among us. It is in our person-to-person conversations that we can better know each other, express our views, and work together in a harmonious relationship.

We hope this guide will help employees feel comfortable with us. The Company depends on its employees; their success is our success. Please don't hesitate to ask questions. Every manager will gladly answer them. We believe employees will enjoy their work and their fellow employees here. We also believe that employees will find the Company a good place to work.

No one other than authorized management may alter or modify any of the policies in this employee handbook. No statement or promise by a supervisor, manager, or designee is to be interpreted as a change in policy, nor will it constitute an agreement with an employee.

Should any provision in this employee handbook be found to be unenforceable and invalid, such a finding does not invalidate the entire employee handbook, but only the subject provision. Nothing in this handbook is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act (NLRA) or be incompatible with the NLRA.

We ask that employees read this guide carefully, become familiar with the Company and our policies, and refer to it whenever questions arise.

## EMPLOYMENT

### EQUAL EMPLOYMENT

It is the policy of the Company to provide equal employment opportunities to all qualified individuals and to administer all aspects and conditions of employment without regard to the following:

- Race
- Color
- Age
- Sex
- Sexual orientation
- Gender
- Gender identity
- Religion
- National origin
- Pregnancy
- Physical or mental disability
- Use of a service animal
- Military or veteran status
- Marital status, including domestic partnerships and civil unions
- Atypical hereditary cellular or blood trait
- Traits historically associated with race, such as hairstyle
- Unemployment status
- Exercise of civil rights
- Citizenship and/or immigration status
- Child or spousal support withholding
- Wage garnishment for consumer debt
- Genetic information, including family medical history
- AIDS/HIV
- Display of the American flag in the workplace
- Source of lawful income for rent or mortgage payments
- Status as a smoker or non-smoker
- Any other protected class, in accordance with applicable federal, state, and local laws

The Company takes allegations of discrimination, intimidation, harassment and retaliation very seriously and will promptly conduct an investigation when warranted.

Equal employment opportunity includes, but is not limited to, employment, training, promotion, demotion, transfer, leaves of absence and termination.

### **BACKGROUND CHECKS**

The Company may conduct a background check on any applicant or employee with their signed consent. The background check may consist of prior employment verification, reference checks, education confirmation, criminal background, credit history, or other information, as permitted by law. Third-party services may be hired to perform these checks. All offers of employment and continued employment are contingent upon a satisfactory background check. Refusal to consent to a background check may result in discipline, up to or including termination.

### **AT-WILL NOTICE**

The employment relationship between the Company and employees is at-will. This means that employees are not hired for any specified period of time and their employment may be terminated at any time, with or without cause, and with or without notice, by either the Company or the employee. Company policy requires that all employees are at-will; any implied, oral, or written agreements or promises to the contrary are void and unenforceable, unless approved by an officer with the power to create an employment contract. There is no implied employment contract created by this Handbook or any other Company document or written or verbal statement or policy.

### **ANNIVERSARY DATE AND SENIORITY**

The employee's date of hire is their official employment anniversary date. Seniority is the length of continuous service starting on that date. Should an employee leave the Company and then be rehired, previously accrued seniority will be lost and seniority will begin to accrue again on the date of rehire. With the exception of certain protected leaves and paid time off, seniority does not accrue during leaves of absence that exceed 30 calendar days.

### **IMMIGRATION LAW COMPLIANCE**

All employees are required to complete Section 1 of Form I-9 on their first day of employment, and produce, within three business days, acceptable proof of their identity and eligibility to work in the United States. Failure to produce the proper identifying documents within three days will result in termination.

### **INTRODUCTORY PERIOD**

The employee's first 90 days of employment with the Company are considered an introductory period. This introductory period will be a time for getting to know fellow employees, managers and the tasks involved in the position, as well as becoming familiar with the Company's products and services. The supervisor or manager will work closely with each employee to help them understand the needs and processes of their job.

This introductory period is a try-out time for the employee and the Company. During this introductory period, the Company will evaluate employees' suitability for employment and employees can evaluate the Company as well. At any time during this first 90 days, employees may resign. If, during this period, employee work habits, attitude, attendance,

performance or other relevant factors do not measure up to our standards, the Company may terminate employment.

At the end of the introductory period, the supervisor or manager will discuss each employee's job performance with them. During the course of the discussion, employees are encouraged to give their comments and ideas as well.

Completion of the introductory period does not guarantee continued employment for any specified period of time, nor does it require that an employee be discharged only for cause. Completion of the introductory period also does not imply that employees now have a contract of employment with the Company, other than at-will. Successful completion of the introductory period does not alter the at-will employment relationship.

A former employee who has been rehired after a separation from the Company of more than one year is considered an introductory employee during their first 90 days following rehire.

#### **EMPLOYMENT CLASSIFICATIONS**

The Company has established the following employee classifications for compensation and benefit purposes only. An employee's supervisor or manager will inform the employee of their classification, status, and responsibilities at the time of hire, re-hire, promotion or at any time a change in status occurs. These classifications do not alter the employment at-will status.

##### Regular Full-Time Employee

An employee who is regularly scheduled to work no less than 30 hours/week. The employee may be exempt or non-exempt and is generally eligible for all employment benefits offered by the Company.

##### Regular Part-Time Employee

An employee who is regularly scheduled to work less than 30 hours in a workweek and may be eligible for some benefits.

##### Temporary Employee

An employee who is scheduled to work on a specific need of the Company. The employee will not receive any benefits unless specifically authorized in writing.

##### Exempt

Employees whose positions meet specific tests established by the Fair Labor Standards Act (FLSA) and applicable state law and who are exempt from overtime pay requirements. The basic premise of exempt status is that the exempt employee is to work the hours required to meet their work responsibilities.

### Non-Exempt

Employees whose positions do not meet FLSA and state exemption tests and who are paid a multiple of their regular rate of pay for overtime hours worked. Unless notified otherwise in writing by management, all employees of the Company are non-exempt.

### **PERSONNEL RECORDS**

The Company maintains various employment files while an individual remains an employee of the Company. Such files may include employee personnel files, attendance files, I-9 files, and files for medical purposes. Employees are required to notify their manager should any of their personal information change (e.g., address, phone number, last name) so the appropriate updates can be made to the files. The Company will take reasonable precautions to protect employee files and employees' personally identifiable information in its records.

Employee files are restricted based on who reasonably needs access to all or parts of the files. Employees may review their own personnel file by making a written request to their manager or Human Resources. The written request will become a part of the employee's personnel file. Review of files must take place in the presence of the employee's manager or Human Resources.

### **EMPLOYEE REFERENCES**

All employee reference check requests should be forwarded to Human Resources; only authorized members of management or Human Resources may provide this information. When the Company is contacted for a reference check or employment verification, generally only positions held and dates of employment will be confirmed. In some circumstances, past salary and eligibility for rehire may be provided as well.

### **JOB TRANSFERS**

The Company aspires to promote qualified internal candidates to fill open positions whenever possible and practical. When job openings occur, current employees are encouraged to apply.

Management reserves the right to place an employee in whatever job it deems useful or necessary. All job transfers, reassignments, promotions, or lateral transfers are at the discretion of the Company.

## CONDUCT AND BEHAVIOR

### GENERAL CONDUCT GUIDELINES

Employees are expected to exercise common sense and courtesy at all times, for the benefit of clients, co-workers, and the Company as a whole. Professionalism is expected, as is respect for the safety and security of people and property. Failure to meet these expectations may be grounds for discipline, up to and including termination. The following are examples of unacceptable conduct, but this is not an exhaustive list.

- Failure to follow the policies outlined in this handbook.
- Negligent, careless, or inconsiderate treatment of clients or their information.
- Theft, misappropriation, or unauthorized possession or use of any property that does not belong to the employee.
- Unauthorized removal of Company property from the premises.
- Sharing trade secrets or other confidential business information with anyone who does not have an official need to know.
- Accessing, without authorization, confidential information pertaining to clients or employees.
- Falsifying or changing any type of Company, client, or employee document or record without authorization.
- Willfully, negligently, or carelessly damaging, defacing, or mishandling property of the Company, a client, or an employee.
- Taking or giving bribes of any nature.
- Entering Company premises without authorization.
- Violating security, safety, or fire prevention regulations, or tampering with safety equipment.
- Unauthorized use of a personal vehicle for Company business.
- Conduct that is illegal under federal, state, or local law.
- Creating a disturbance on Company premises.
- Use of abusive language.
- Any rude, discourteous, or unbusinesslike behavior, on or off Company premises, which is not protected by Section 7 of the National Labor Relations Act and that adversely affects the Company services, operations, property, reputation, or goodwill in the community, or interferes with work.
- Insubordination or refusing to follow instructions from a supervisor or manager; refusal or unwillingness to accept a job assignment or to perform job requirements.
- Leaving during scheduled work hours without permission; unauthorized absence from assigned work area during regularly scheduled work hours.
- Sleeping during regular working hours.
- Recording time for another employee or having time recorded by another employee.
- Use or possession of illegal drugs on Company premises at any time.
- Use of alcohol or illegal drugs during working hours, or working under the influence of intoxicants.
- Unauthorized possession of a weapon on Company premises.

- Illegal gambling on Company premises.
- Soliciting, collecting money, vending, and posting or distributing bills or pamphlets during working hours in work areas. Such activity by employees during non-working time, including meal and rest periods, is not restricted so long as such activity does not interfere with the regular operation of business, is orderly, lawful, in good taste, conducted in an orderly manner, and does not create a safety hazard or a mess. Non-employees are prohibited from all forms of solicitation on Company property at all times.

#### **SEXUAL AND OTHER UNLAWFUL HARASSMENT**

The Company is committed to providing a work environment free of harassment in any form, including inappropriate and disrespectful behavior, intimidation, and other unwelcome conduct directed at an individual because of their inclusion in a protected class. Applicable federal and state law defines harassment as unwelcome behavior based on someone's inclusion in a protected class. Sometimes language or actions that were not expected to be offensive or unwelcome actually are, so employees should err on the side of being more sensitive to the feelings of their co-workers rather than less.

The following are examples of harassment; behaviors not in this list may also be considered harassment:

- Unwanted sexual advances;
- Offering employment benefits in exchange for sexual favors;
- Retaliation or threats of retaliation for refusing advances or requests for favors;
- Leering, making sexual gestures or jokes, or commenting on an employee's body;
- Displaying sexually suggestive content;
- Displaying or sharing derogatory posters, photographs, or drawings;
- Making derogatory epithets, or slurs;
- Ongoing teasing about an employee's religious or cultural practices;
- Ongoing teasing about an employee's sex, sexual orientation, or gender identity;
- Physical conduct such as touching, assault, or impeding or blocking movements

Sexual harassment on the job is unlawful whether it involves coworker harassment, harassment by a manager, or harassment by persons doing business with or for the Company, such as clients, customers or vendors.

#### **Retaliation**

Any form of retaliation against someone who has expressed concern about any form of harassment, refused to partake in harassing behavior, made a harassment complaint, or cooperated in a harassment investigation, is strictly prohibited. A complaint made in good faith will under no circumstances be grounds for disciplinary action. Individuals who make complaints that they know to be false may be subject to disciplinary action, up to and including termination.

## Enforcement

All managers and supervisors are responsible for:

- Implementing the Company's harassment policy;
- Ensuring that all employees they supervise have knowledge of and understand the Company policy;
- Reporting any complaints of misconduct to the designated company representative, the HR Manager, so they may be investigated and resolved internally;
- Taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the policy; and
- Conducting themselves in a manner consistent with the policy.

## Addressing Issues Informally

Employees who witness offensive behavior in the workplace - whether directed at them or another employee - are encouraged, though not required, to immediately address it with the employee whose behavior they found offensive. An employee who is informed that their behavior is or was offensive should stop immediately and refrain from that behavior in the future, regardless of whether they agree that the behavior could have been offensive.

## Harassment Complaint Procedure

Employees are encouraged to use the Complaint Procedure to report behavior that they feel is harassing, whether or not that behavior is directed at them. The Complaint Procedure provides for immediate, thorough, and objective investigation of claims of harassment. Appropriate disciplinary action will be taken against those who are determined to have engaged in harassing behavior.

## **ABUSIVE CONDUCT**

Abusive conduct means malicious conduct in the workplace that a reasonable person would find hostile or offensive and unrelated to an employer's legitimate business interests. Abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the sabotage or undermining of a person's work performance. A single act will generally not constitute abusive conduct, unless especially severe.

The Company considers abusive conduct in the workplace unacceptable and will not tolerate it under any circumstances. Employees should report abusive conduct to a manager or Human Resources. Managers are responsible for ensuring that employees are not subjected to abusive conduct. All reports will be treated seriously and investigated when appropriate. Employees who are found to have engaged in abusive conduct will be subject to discipline, up to and potentially including termination. Retaliation against an employee who reports abusive conduct or verifies that it took place is strictly prohibited.

## **COMPLAINT PROCEDURE**

The Company has established a procedure for a fair review of complaints related to any workplace controversy, conflict, or harassment. Employees may take their complaint directly to the person or department listed in Step 2 if the complaint is related to their supervisor or manager or if the employee feels the supervisor or manager would not provide an impartial resolution to the problem.

### Step 1

The complaint should be submitted orally or in writing to a supervisor or manager within three working days of the incident or as soon as possible. Sooner is better, as it will assist in a more accurate investigation, but complaints will be taken seriously regardless of when they are reported. Generally, a meeting will be held within three business days of the employee's request, depending upon scheduling availability. Attempts will be made to resolve the issue during the meeting, but regardless of whether there is an immediate resolution, the supervisor or manager will give the employee a written summary of the meeting within three business days. Resolution may take longer if further investigation of the complaint is required. If the employee is not satisfied with the resolution, they may proceed to Step 2.

### Step 2

The employee may submit an oral or written request for review of the complaint and Step 1 resolution to the HR Manager or a designated investigator. This request should be made within three working days following the receipt of the Step 1 resolution. The HR Manager or the designated investigator will review the complaint and resolution and may call an additional meeting to explore the problem. If warranted, additional fact-finding will be undertaken. A final decision will be rendered within 10 working days after receiving the Step 2 request, and a written summary of the resolution will be provided to the employee who filed the complaint.

## **CORRECTIVE ACTION**

A high level of job performance and professionalism is expected from each employee. In the event that an employee's job performance does not meet the standards established for the position, they violate company policies or procedures, or their behavior is otherwise unacceptable, corrective action may ensue. Corrective action may include, but is not limited to: coaching, oral or written warnings, performance improvement plans, paid or unpaid suspension, demotion, and termination. The type and order of actions taken will be at management's sole discretion and the Company is not required to take any disciplinary action before making an adverse employment decision, including termination.

## **COMPENSATION**

### **PAY PERIODS**

The standard seven-day payroll workweek for the Company will begin at 12:00 a.m. Sunday. The designated pay period for all employees is weekly. Paydays are every Friday. Except as otherwise provided, if any date of paycheck distribution falls on a holiday, employees will be paid on the preceding scheduled workday.

### **TIMEKEEPING (NON-EXEMPT EMPLOYEES)**

All non-exempt employees are required to use the timekeeping system to record their hours worked. For the purpose of this policy, all forms of timekeeping will be referred to as clocking in or out.

Employees should clock in no sooner than five minutes before their scheduled shift and clock out no later than five minutes after their scheduled shift. Additionally, employees are required to clock in and out for their designated lunch periods. The length of the lunch period will be designated by the employee's manager; alteration or waiver of the lunch period requires manager approval. Lunch periods are unpaid time when employees are relieved of all duties. Waiver of the lunch period requires prior approval of the employee's manager. Under no circumstance may the waiver of the lunch period result in overtime work.

Accurate timekeeping is a federal and state wage and hour requirement, and employees are required to comply. Failing to enter time into the timekeeping system in an accurate and timely manner is unacceptable job performance. Employees may not ask another employee to clock in or out for them. Should an employee miss an entry into the timekeeping system, they must notify their manager as soon as possible for correction.

Non-exempt employees are not permitted to work unscheduled time without prior authorization from their manager. This includes clocking in early, clocking out late, or working through scheduled break or lunch periods.

### **REPORTING TIME PAY (NON-EXEMPT EMPLOYEES)**

Non-exempt employees who are required to report to work and are subsequently sent home by the Company without completing their assigned shift due to a lack of work will be paid any applicable reporting time pay.

Employees will be paid for no less than one hour. All time worked prior to dismissal counts toward these totals. Reporting time pay will be compensated at the employee's regular rate of pay.

**OVERTIME (NON-EXEMPT EMPLOYEES)**

The Company complies with all applicable federal and state laws with regard to payment of overtime work. Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over 40 in a workweek.

Employees are required to work overtime when assigned. Any overtime worked must be authorized by a supervisor or manager, in advance. Working unauthorized overtime or the refusal or unavailability to work overtime is not acceptable work performance, and is subject to discipline, including but not limited to termination.

**PAYROLL DEDUCTIONS (EXEMPT EMPLOYEES)**

The Company complies with the salary basis requirements of the Fair Labor Standards Act (FLSA) and does not make improper deductions from the salaries of exempt employees. There are, however, certain circumstances where deductions from the salaries of exempt employees are permissible. Such circumstances include:

- When an exempt employee is absent from work for one or more full days for personal reasons other than sickness or disability
- When an exempt employee is absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide sick leave plan that provides compensation for salary lost due to illness
- To offset amounts received as witness or jury fees, or for military pay
- For disciplinary suspensions of one or more full days imposed in good faith for serious workplace policy violations
- For penalties imposed in good faith for serious safety infractions
- When an employee is on unpaid leave under the Family Medical Leave Act
- During an employee's first and last week of employment, if they work less than a full week

If an employee believes that an improper deduction has been made, they should immediately report this to their manager or the person responsible for payroll processing. Reports will be promptly investigated and if it is determined that an improper deduction has occurred, the employee will be promptly reimbursed.

**PAY ADJUSTMENTS, PROMOTIONS AND DEMOTIONS**

All pay increases are based upon merit, market factors, and the profitability of the Company. There may not be an automatic annual cost of living or salary adjustment. Employee pay also may be adjusted downward. Salary decreases may take place when there is job restructuring, job duty changes, job transfers, or adverse business economic conditions. Demotion is a reduction in responsibility, usually accompanied by a reduction in salary. If demotion occurs, employees will maintain their seniority with the Company.

### **PERFORMANCE EVALUATION**

Employees may receive an appraisal of their job performance as scheduled. This evaluation may be either written or oral.

If the employee receives an evaluation sheet or other written document, they will be required to sign it. An employee's signature does not necessarily indicate that the employee agrees with all the comments, but that they have been given the opportunity to examine the evaluation and discuss it with their manager. The completed and signed evaluation form will be placed in the employee's personnel file and the employee will receive a copy of the performance evaluation.

In addition to performance evaluations, informal counseling sessions may be conducted from time to time.

### **WORK ASSIGNMENTS**

On occasion employees may be required to perform duties that are not part of their job description or usual tasks. This may happen because a co-worker is absent, a position is temporarily vacant, the business or department is particularly busy, or for other reasons. Employees are expected to perform these additional duties in a timely fashion and to the best of their ability. Should questions about process or procedure arise, employees should speak with their manager. Unless informed otherwise, employees will be paid at their regular rate of pay.

### **EXPENSE REIMBURSEMENT**

The Company will cover all reasonable, business-related expenses. Any cost that does not fall within the guidelines below must be approved by the appropriate manager *before* the expense is incurred. Employees may not be reimbursed for expenses that were not approved in advance and are deemed unnecessary or extravagant.

The following types of expenses may be reimbursable under this policy:

- Lodging
- Travel expenses including airfare, reasonable airline luggage fees, train fare, bus, taxi, and related tips
- Meals, including tips up to 20%
- Laundry and dry-cleaning expenses during trips in excess of five days
- Car rental, parking fees, and tolls
- Mileage on a personal vehicle at the current IRS reimbursement rate
- Conference and convention fees
- Business entertainment expenses, up to pre-approved limits

The following expenses are examples of expenses not reimbursable under this policy:

- Airline club dues

- Traffic fines
- Tips in excess of 20%
- In-flight movies, mini-bar expenses, and other forms of personal entertainment
- First-class airfare

No policy can anticipate every situation that might give rise to legitimate business expenses. Reasonable and necessary expenses not listed above may be reimbursable. When prior approval is required, managers should use their best judgment to determine if an unlisted expense is reimbursable under this policy.

#### Credit Cards

Company-issued credit cards are to be used for purchases on behalf of the Company and for any travel expenses incurred while traveling on company business only. At no time may an employee use a Company credit card for purchases intended for personal use; such expenses will require that the Company be reimbursed and may lead to revocation of credit card privileges and other discipline. Credit card expenses require the same reimbursement documentation as other expenses.

#### Documentation

Requests for reimbursement of business expenses must be submitted on the Expense Report Template. In order to comply with IRS regulations, all business expenses be supported with adequate records; employees are responsible for keeping these records as expenses are incurred. These records must include:

- The amount of the expenditure
- The time and place of the expenditure
- The business purpose of the expenditure
- The names and the business relationships of individuals for whom the expenditures were made

Requests for reimbursement lacking this information will not be processed and will be returned to the employee. While original receipts are preferred for all expenses, they are required for those greater than \$25.00. Requests for exceptions to this policy should explain why the exception is necessary and be approved by management.

#### Approvals

Expense reimbursement forms, together with required documentation, must be submitted to the employee's manager for review and approval. Once the expense reimbursement has been approved, it should be submitted for processing no more than 30 days after the expenses occurred. Managers approving expense reports are responsible for ensuring that the expense report have been filled out correctly with the required documentation and that the expenses submitted are allowable under this policy.

**ADVANCES AND LOANS**

The Company does not give advances or loans to employees.

## **BENEFITS**

### **HOLIDAYS**

Regular full-time employees are entitled to the following paid holidays observed by the Company:

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

Other days or parts of days may be designated as holidays with or without pay. No holiday pay will be paid to an employee who is on an unpaid status, on any leave, or absent due to workers' compensation. If a holiday falls on a Sunday, the holiday may be observed on the following Monday. If the holiday falls on a Saturday, the holiday may be observed on the preceding Friday.

For weeks where there is a company paid holiday, if you work 32 hours, you will be eligible for overtime.

### **SICK LEAVE**

The Company recognizes that the inability to work because of illness, injury or safety needs may cause economic hardship. For this reason, O'Neill Logistics provides 40 hours of paid sick time upon hire and annually at the beginning of each calendar year to all employees who work in New Jersey. Employees are eligible to use sick leave on their 60<sup>th</sup> day of employment.

Up to 40 hours of unused leave will roll over into a new benefit year.

Sick leave may be used for the following reasons:

- Diagnosis, care, treatment of, or recovery from an employee's mental or physical illness, injury, or health condition, or for preventive health care;
- Diagnosis, care, treatment of, or recovery from a family member's mental or physical illness, injury, or health condition, or for preventive health care;
- When the employee's workplace or their child's school or place of care is closed because the governor declared a state of emergency;
- When the presence in the community of either the employee or one of their family members whom they need to care for would jeopardize the health of others under either a declaration of a state of emergency by the governor or an issuance by a health care provider, the Commissioner of Health, or another public health authority;

- When the employee isolates or quarantines or cares for a family member in quarantine as a result of a suspected exposure to a communicable disease and a finding that the presence of the employee or their family member in the community would jeopardize the health of others, under either a state of emergency as declared by the governor or the recommendation, direction, or order of a healthcare provider or authorized public official;
- When time off is needed because the employee or a member of their family is a victim of domestic or sexual violence; or
- To attend a school-related conference or meeting.

When sick leave is used, it will be paid at the employee’s regular rate of pay. Sick leave may be used in increments of two hours or more.

If the need for sick leave is foreseeable, employees must provide seven days’ notice. If the need for sick leave is unforeseeable, the employee must provide notice as soon as practicable. Employees who use leave for three or more consecutive workdays may be asked to provide documentation of the need for leave, such as a doctor’s note.

Unused sick leave will not be paid out at the end of employment. Employees rehired within six months of separation will have their previously accrued but unused sick leave restored.

**VACATION**

Vacations provide a break beneficial to both the Company and the employee. Therefore, employees are encouraged to take vacations annually. All full-time employees regularly working 30+ hours/week are eligible to participate in the Company’s vacation benefit. Employees are eligible to use vacation on their 60<sup>th</sup> day of employment.

Employees will accrue vacation according to the following schedule:

<b>Years of Employment</b>	<b>Hours Accrued per Pay Period</b>	<b>Annual Accrual</b>
0 - 1 year	1.539 hours	40 hours
2 - 4 years	3.077 hours	80 hours
5 years and continuing thereafter	4.617 hours	120 hours

Employees may carryover up to 40 hours of vacation time from one calendar year to the next. The carryover balance must be used by March 31<sup>st</sup> of the previous year. Unused vacation will be forfeit upon employment separation unless payout is required by state law.

Vacations need to be scheduled with the appropriate manager with sufficient notice so as to not disrupt the workplace.

#### **PERSONAL DAYS**

In order to help employees foster a work-life balance, the Company offers two days (16 hours) of personal time for employees to use each calendar year. Personal days may be used for any purpose, including but not limited to vacation, personal matters, and recovery from injury or illness. Personal days should be scheduled with the appropriate manager with as much notice as is possible so as to not disrupt the workplace. Employees are eligible to use personal days on their 60<sup>th</sup> day of employment.

Employees will not be paid wages in lieu of unused personal time. Unused personal days will be forfeit upon employment separation, unless payout is required by state law.

#### **PUBLIC HEALTH EMERGENCY LEAVE**

The Company provides public health emergency leave to regular employees who are ordered to isolate or quarantine by the Commissioner of the State of New Jersey Department of Health. The leave is unpaid.

Employees who take public health emergency leave will be reinstated to the same or an equivalent position if they:

- Provide a certificate of completion of isolation or quarantine issued by the state or local health department;
- Are still qualified to perform the duties of their position; and
- Request reinstatement within 90 days of the end of their isolation or quarantine.

If the Company's circumstances have changed significantly, reinstatement may not be possible.

Employees should provide the Company with notice of their need for leave as soon as practicable.

#### **HEALTH AND WELFARE BENEFITS**

The Company complies with all applicable federal and state laws with regard to benefits administration. All regular employees scheduled and generally working at least 32 hours a week are entitled to health insurance and other company-sponsored health benefits, when in effect. The Company reserves the right to change or terminate health plans or other benefits at any time.

New qualifying employees will be eligible for coverage the 1st of the month following 60 days. New employees may elect not to be covered, with the permission of the Company, provided the percentage of employees not covered is within the benefit plan specifications.

### **CONTINUATION OF BENEFITS**

Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), or a state mini-COBRA law, employees may be allowed to continue their health insurance benefits, at their own expense, for a set number of months after experiencing a qualifying event. Length of coverage may be dependent upon the qualifying event.

To qualify for continuation of health benefits, the covered individual must experience a qualifying event that would otherwise cause them to lose group health coverage. The following are qualifying events:

#### For Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in numbers of hours worked

#### For Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above
- Covered employee becomes eligible for Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

#### For Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses
- Loss of status as a dependent child under the plan rules

See Human Resources for additional information.

### **STATE DISABILITY INSURANCE**

Employees who are disabled because of an off-the-job injury or illness may be eligible for temporary disability insurance through the state. Employees must have worked 20 or more calendar weeks and earned over a certain threshold of income to qualify.

The Temporary Disability Insurance benefits program provides covered individuals Family Leave Insurance benefits, a monetary benefit, up to 26 weeks. The Temporary Disability Insurance benefits program does not establish the right of a covered individual to be restored to employment following a period of disability leave. However, a covered individual's job may be protected under the federal Family and Medical Leave Act (FMLA) or the New Jersey Family Leave Act (NJFLA) which applies to employers with 50 or more employees, if applicable.

The program requires contributions from both the Company and the employee in the form of payroll deductions as determined by the Department of Labor and Workforce

Development. The maximum employee contribution is subject to change on a yearly basis.

The Division of Temporary Disability Insurance will determine eligibility for this benefit and claims should be filed directly with that department. Employees should notify the Company before returning to work and provide a physician's statement of their ability to resume normal duties.

#### **FAMILY LEAVE INSURANCE**

New Jersey Family Leave Insurance offers qualifying employees cash benefits for up to six weeks to bond with a newborn or newly adopted child, or to care for a seriously ill family member, including spouse, domestic partner, civil union partner, parent or child. The program requires no contributions from employers and is 100% funded by an employee payroll deduction.

The Family Leave Insurance benefits program provides covered individuals Family Leave Insurance benefits, not a leave entitlement. The Family Leave Insurance benefits program does not establish the right of a covered individual to be restored to employment following a period of leave from work to participate in providing care for a family member who has a serious health condition or to bond with a newborn or newly adopted child. However, a covered individual's job may be protected under the federal Family and Medical Leave Act (FMLA) or the New Jersey Family Leave Act (NJFLA), if applicable.

The Company requires 30 days' notice before bonding leave starts, per New Jersey Law. If the proper notice is not provided, benefits may be reduced by 14 days. Leave to care for a seriously ill family member should be requested as far in advance as possible under the circumstances. Intermittent leave may be taken in increments of seven days or more upon approval by the Company. Intermittent leave requests must be 15 days in advance of the need for leave.

The Division of Temporary Disability Insurance will determine eligibility for this benefit and claims should be filed directly with that department.

#### **NEW JERSEY FAMILY LEAVE ACT**

Employees who have worked for the Company for at least one year and have worked 1,000 hours or more (not including overtime) in the previous 12 months are eligible to take up to 12 weeks of family leave in a 24-month period. The 24-month period begins on the first day of the employee's first leave.

The NJFLA provides leave for the following reasons:

- The birth of a child,
- The placement of a child for adoption or foster care,
- The serious health condition of a family member, or

- During a public health emergency if any of the following applies:
  - The employee needs to care for their child because their school or place of care is closed by order of a public official;
  - The employee needs to care for a family member who is subject to a requirement by a public health authority (e.g., mandatory quarantine) because they are determined to either have the communicable disease or had a known or suspected exposure to the communicable disease; or
  - The employee needs to care for a family member who has been recommended to self-quarantine by a healthcare provider or public health authority because of a suspected exposure to the communicable disease.

#### **TEMPORARY DISABILITY LEAVE**

The Company recognizes that a temporary disability may prevent employees from coming to work for a period of time. In such cases, the Company may grant a temporary disability leave. This leave does not have a minimum or maximum time frame. Rather, the Company will attempt to reasonably accommodate the needs of the employee as well as the needs of the Company. If a leave is granted, any extensions will be subject to the same considerations.

Employees requesting a temporary disability leave must document their request in writing. That request should be accompanied by a doctor's statement identifying how the temporary disability limits the employee's ability to work, the date and the estimated date of return and, where appropriate, diagnosis and prognosis. Should the employee's expected return date change, the employee should notify the Company as soon as possible. Prior to returning to employment with the Company, employees will be required to submit written medical certification of their ability to work, including any restrictions. Upon returning to work, if employees qualify, they will be reinstated to their former position or one that is substantially the same, depending upon the availability of any position at that time.

The leave will be unpaid, except that employees must use any available paid sick leave concurrently and may choose to use other accrued paid time off concurrently once their sick leave has been exhausted.

#### **MILITARY LEAVE**

If employees are on an extended military leave of absence, they are entitled to be restored to their previously held position or similar position, if available, without loss of any rights, privileges or benefits provided the employee meets the requirements specified in the Uniformed Services Employment and Reemployment Rights Act (USERRA).

An employee who is a member of the reserve corps of the armed forces of the United States or of the National Guard or the Naval Militia will be granted temporary leave of absence without pay while engaged in military duty as required by state employment

law. In certain circumstances, a letter from the employee's commanding officer may be requested to establish the dates of duty.

#### **VOLUNTEER EMERGENCY RESPONDER LEAVE**

An employee who is an active member in good standing of a volunteer fire company, a volunteer member of a duly incorporated first aid, rescue or ambulance squad, or a member of any county or municipal volunteer Office of Emergency Management will be granted unpaid time off when they fail to report for work because they are serving as a volunteer emergency responder during a state of emergency.

The volunteer emergency responder must provide the Company with notice at least one hour before they are scheduled to report to work, and upon returning work, documentation from the officer in charge affirming that the volunteer emergency responder was rendering emergency services and listing the date and time the volunteer emergency responder was relieved from emergency duty.

#### **JURY SERVICE LEAVE**

Employees will be allowed time off to attend jury duty. The Company may request that the employee ask to be excused from service, or request postponement, if their absence from work would create a serious hardship to the Company.

Employees must submit a copy of the original summons to their manager as soon as it is received. For periods of service longer than two days, the Company may require proof that the employee attended jury service. Employees should report for work on any day, or partial day, not actually spent attending jury duty.

Employees may keep any fees received for jury duty. Jury duty leave is unpaid, though employees will be allowed to use accrued paid time off, if any is available. Exempt employees will be paid in accordance with the Fair Labor Standards Act.

#### **WITNESS LEAVE**

Employees who need to attend court as a witness, to appear with a minor, or because they are the victim in a criminal case, will be granted leave in order to appear in court. The Company may require proof of the need for leave. This leave is unpaid, though employees will be allowed to use accrued paid time off, if any is available. Exempt employees will be paid in accordance with the Fair Labor Standards Act.

#### **NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT**

Employees who have worked for the Company for 12 months and have worked at least 1,000 hours in the previous 12 months will be granted up to 20 days of unpaid leave under this Act. Leave may be taken for victims (or the parent, child, spouse, domestic partner or civil union partner of a victim) of domestic violence or sexually violent offenses for many reasons associated with an incident of domestic violence or sexually violent offense including seeking medical attention, obtaining services from a victim services

organization, obtaining counseling, participating in safety planning or relocation efforts, seeking legal assistance and preparing for court proceedings.

#### **ORGAN & BONE MARROW DONATION LEAVE**

Employees will be granted up to 26 weeks of leave for organ or bone marrow donation. The leave is unpaid, but employees may be eligible for partial wage replacement through Temporary Disability Benefits. Upon returning to work from a donor leave, the employee will be restored to the same or an equivalent position. The Company may request proof of the need for leave.

#### **FAMILY AND MEDICAL LEAVE ACT**

##### Leave Entitlements

Under the Family and Medical Leave Act (FMLA), an eligible employee can take up to 12 weeks of unpaid, job-protected leave in a 12-month period. To be eligible, an employee must meet the following three criteria:

- Have worked for the Company for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave; and
- Work at a location where the Company has at least 50 employees within 75 miles of the employee's worksite.

Eligible employees can take leave for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform their job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

##### Using Leave

An employee does not need to use leave in one block. When it is medically necessary or the Company otherwise approves, employees may take leave intermittently or on a

reduced schedule. Employees on FMLA leave may be required to report periodically to the Company regarding their status and intent to return to work. An employee who fails to return to work at the expiration of the leave without an approved extension will be considered to have resigned.

Employees must inform the Company if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employees may choose, or the Company may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, they must comply with the Company's normal paid leave policies.

Employees must give 30 days' advance notice of the need for FMLA leave. If it is not possible to give 30 days' notice, an employee must notify their manager as soon as possible.

#### Documentation

The Company may require a certification from a health care provider, and periodic recertification, supporting the need for leave. If certification is requested, employees will have 15 days to provide it. If we determine that the certification is incomplete, we will provide a written notice indicating what additional information is required.

Employees do not have to share a medical diagnosis but must provide enough information so that the Company can determine if the leave qualifies for FMLA protection. Sufficient information could include a doctor's note informing the Company that the employee is or will be unable to perform their job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary.

If we become aware that an employee's need for leave is for a reason that may qualify under the FMLA, we will notify the employee if they are eligible for FMLA leave and, if eligible, provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, we will provide a reason for ineligibility. The Company will notify employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

#### Benefits

While employees are on FMLA leave, health insurance coverage will continue as if the employees were not on leave. Employees are responsible for their portion of the medical insurance premium cost, if any. Failure to pay the employee portion of the health insurance premiums in advance (or on the schedule established by the payroll department) may result in the termination of coverage. If eligible, the employee will receive notification of continuation of benefits.

The Company reserves the right to seek reimbursement from the employee for the medical insurance premiums paid by the Company while the employee was on FMLA leave if the employee fails to return from FMLA. The Company will not seek reimbursement if the failure to return is due to continuation, recurrence, or onset of a serious health condition of the employee or the employee's family member that would otherwise qualify for FMLA leave, or other circumstances beyond the employee's control.

The Company will not interfere with an employee's FMLA rights or retaliate against them for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

Employees who believe they have not received the benefits to which they are entitled under FMLA are strongly encouraged to speak to another member of management or Human Resources for clarification or resolution. Failing that, an employee is able to file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private action. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

#### **PERSONAL LEAVE OF ABSENCE**

Regular full-time employees who have been with the Company for more than six months may request a personal leave of absence without pay. The employee must submit their request in writing and state the date they would like the leave to begin, the date they expect to return, and the reason for the leave. The Company will consider all factors, including the necessity of the leave and the impact on business operations, and provide written approval or denial of the request at its sole discretion.

If approved, employees must use their leave of absence for the approved purpose. Sick leave, vacation time, seniority and other benefits will not accrue during an unpaid leave of absence. Holidays that occur during the leave of absence will not be paid. If an employee fails to return to work on the scheduled date of return, the Company will assume the employee has resigned.

#### **BEREAVEMENT LEAVE**

A regular employee of the Company may request a leave of absence with pay for a maximum of 3 working day(s) upon the death of a member of their immediate family. Members of the immediate family are defined as parents, spouse, domestic partner, child, sibling, grandchild, parent-in-law, and corresponding step-relatives. Proof of the need for leave may be required.

## **HEALTH, SAFETY, AND SECURITY**

### **NON-SMOKING**

Smoking, vaping, and use of chew are not permitted in any Company buildings, work sites, or vehicles. Employees wishing to engage in these activities may do so during their designated break times, outside of Company buildings, in designated areas (or off the property if no area is designated), and in accordance with local ordinances.

### **DRUG AND ALCOHOL**

The Company is dedicated to providing employees with a workplace that is free of drugs and alcohol. While on Company premises, whether during work time or non-work time, employees are prohibited from being under the influence of drugs or alcohol. There are limited exceptions for the use of prescription drugs (not including marijuana), as long as they do not create safety issues or impair an employee's ability to do their job, and the moderate use of alcohol at company-sponsored or sanctioned events.

Employees are strictly prohibited from possessing illegal drugs, cannabis, or excessive quantities of prescription or over-the-counter drugs while on Company premises, performing Company-related duties, or operating any Company equipment. Any drugs confiscated that are suspected of being illegal will be turned over to the appropriate law enforcement agency.

Employees taking medication should consult a medical professional to determine whether the drug may affect their personal safety or ability to perform their job and should advise their manager of any resulting job limitations. Once notified, the Company will make reasonable efforts to accommodate the limitation.

The Company reserves the right to test any employee for the use of illegal drugs, marijuana, or alcohol, in accordance with applicable law. Employees in safety-sensitive positions may be subject to regular or random drug testing. Drug or alcohol tests may also be conducted after an accident in which drugs or alcohol could reasonably be involved, or when behavior or impairment on the job creates reasonable suspicion of use. Under those circumstances, the employee may be driven to a certified lab for testing at the Company's expense. Refusal to be tested for drugs or alcohol will be treated the same as a positive test result.

Violation of this policy may result in discipline, up to and including termination.

To the extent that any federal, state, or local law or regulation limits or prohibits the application of any provision of this policy, then that particular provision will be ineffective in that jurisdiction only, while the remainder of the policy remains in effect.

### **REASONABLE ACCOMMODATIONS**

If the Company is made aware of an employee's disability and resulting need for accommodation, Human Resources or the employee's manager will engage with them in the interactive process. This process will determine what, if any, accommodations are necessary and reasonable in order to assist the employee in doing the essential functions of their job. Whether an accommodation is reasonable will be determined based on a number of factors, including whether it will effectively assist the employee in doing the essential functions of their job, the cost, and the effect on business operations. In most cases, employees will be required to provide documentation from an appropriate healthcare provider. Human Resources will provide employees with the necessary form.

All employees are required to comply with safety standards. Employees who pose a direct threat to the health or safety of themselves or others in the workplace may be temporarily moved into another position or placed on leave until it is determined if a reasonable accommodation will effectively mitigate the risk.

### **INJURY AND ACCIDENT RESPONSE AND REPORTING**

If an employee is injured or witnesses an injury at work, they must report it immediately to the nearest available manager. Employees should render any assistance requested by that manager. When any accident, injury, or illness occurs while an employee is at work, regardless of the nature or severity, the employee must complete an injury reporting form and return it to Human Resources as soon as possible. Reporting should not be allowed to delay necessary medical attention. Once the accident is reported, follow-up will be handled by Human Resources or the designated Safety Officer, including a determination as to whether the injured employee may return to work.

Questions asked by law enforcement or fire officials making an investigative report should be answered giving only factual information and avoiding speculation. Liability for personal injury or property damage should never be admitted in answering an investigatory question asked by law enforcement or fire officials.

In addition to compliance with safety measures imposed by federal Occupational Safety and Health Act (OSHA) and state law, the Company has an independent interest in making its facilities a safe and healthy place to work. The Company recognizes that employees may be in a position to notice dangerous conditions and practices and therefore encourages employees to report such conditions, as well as non-functioning or hazardous equipment, to a manager immediately. Appropriate remedial measures will be taken when possible and appropriate. Employees will not be retaliated or discriminated against for reporting of accidents, injuries, or illnesses, filing of safety-related complaints, or requesting to see injury and illness logs.

### **WORKERS' COMPENSATION**

The Company carries insurance that covers work-related injuries and illnesses. The workers' compensation insurance carrier governs the benefits provided. These benefits

will not be limited, expanded, or modified by any statements of Company personnel or Company documents. In the case of any discrepancy, the insurance carrier's documents will control.

#### **WORKPLACE VIOLENCE AND SECURITY**

The Company expects all employees to conduct themselves in a non-threatening, non-abusive manner at all times. No direct, conditional, or veiled threat of harm to any employee, customer, business partner, or Company property will be acceptable. Acts of violence or intimidation of others will not be tolerated. Any employee who commits, or threatens to commit, a violent act against any person while on Company premises, will be subject to discipline, up to immediate termination.

Employees share the responsibility of identifying and alleviating threatening or violent behaviors. Any employee who is subjected to or threatened with violence, or who is aware of another individual who has been subjected to or threatened with violence, should immediately report this information to a manager. Threats will be investigated and appropriate remedial or disciplinary action will be taken.

#### **DRIVING SAFETY**

Employees who drive on Company business are expected to drive safely and responsibly and to use common sense and courtesy. Employees are also subject to the following rules and conditions:

1. A valid driver's license must be maintained as a condition of continued employment for positions that require driving. The company may request to see an employee's license at any time.
2. Employees may not use a Company vehicle without express authorization from management.
3. If Company vehicles are generally used for Company business, employees must receive authorization from management to use their personal vehicle instead.
4. Employees who drive their own vehicles for work must maintain the minimum amount of insurance required by state law as a condition of continued employment. The Company may request proof of insurance at any time.
5. Employees must wear seat belts at all times, whether they are the driver or a passenger.
6. With the exception of a phone being used only for navigation purposes, employees are required to turn off cell phones or put them on silent before starting their car. Employees are permitted and encouraged to communicate to clients, associates, and business partners the reason why calls may not be returned immediately.
7. Employees who are using a device for navigation purposes should complete all set up before starting the vehicle.
8. Use of electronic devices for purposes other than navigation is strictly prohibited. This includes, but is not limited to, making or receiving phone calls, sending or receiving text messages or e-mails, browsing the internet, reading books, and downloading information from the web. If an employee needs to engage in any of

these activities while driving, they must pull over to a safe location and stop the vehicle prior to using any device.

9. Employees should not engage in other distracting activities such as eating, shaving, or putting on makeup, even in stopped or slow-moving traffic.
10. The use of alcohol, drugs, or other substances that in any way impair driving ability is prohibited. This includes, but is not limited to, over-the-counter cold or allergy medications and sleep aids that have a residual effect.
11. Employees must follow all driving laws and safety rules, such as adherence to posted speed limits and directional signs, use of turn signals, and avoidance of confrontational or offensive behavior while driving.
12. All passengers must be approved by management in advance of travel.
13. Employees must not allow anyone to ride in any part of the vehicle not specifically intended for passenger use or any seat that does not have a working seat belt.
14. Employees must promptly report any accidents to local law enforcement as well as the Company.
15. Employees must promptly report any moving or parking violations received while driving on Company business or in Company vehicles.

#### **INCLEMENT WEATHER AND OUTAGES**

This policy establishes guidelines for Company operations during periods of extreme weather and similar emergencies. The Company will remain open in all but the most extreme circumstances. Unless an emergency closing is announced, all employees are expected to report to work. However, the Company does not advise employees to take unwarranted risks when traveling to work in the event of inclement weather or other emergencies. Each employee should exercise their best judgment with regard to road conditions and other safety concerns.

Emergency/Weather update (Option #1) – Employees should call 732-375-9216 for emergency and weather-related updates for Monroe NJ at least 1 hour prior to your shift start time. A recorded message will be posted to give you instructions and building status for the day. We will let you know if the building will be open for the day. We will also let you know if we will have a delayed opening or building closure for the day.

Employee Call Outs (Option #2) – Employees who will not be reporting to work for their scheduled shift should call 732-375-9216 at least 1 hour prior to your shift start time. The employee should state their name, what shift they are working on and the reason for the call out. They should also provide a contact number where they can be reached at in the event that we need to call them back for additional information.

#### **Designation of Emergency Closing**

Only by the authorization of designated managers will the Company cease operations due to emergency circumstances. If severe weather conditions develop during working hours, it is at the discretion of Management to release employees. Employees will generally be expected to remain at work until the appointed closing time.

### Procedures during Closings

If weather or traveling conditions delay or prevent an employee's reporting to work, their immediate supervisor should be notified as soon as possible. If possible, such notification should be made by a telephone conversation directly with the supervisor. If direct contact is not possible, leaving a detailed voicemail message or message with another employee is acceptable.

An employee who is unable to report to work may use any available vacation or personal time or take the day off without pay.

### Pay and Leave Practices

When a partial or full-day closing is authorized by Management, the following pay and paid leave practices apply:

- Non-exempt hourly employees will be sent home for partial days with the option of using vacation or personal time for the remainder of the day. If paid time off is not available, employees will be excused from work without pay and without disciplinary action.
- Exempt employees will be expected to continue work from home if their job duties allow. The Company will pay the exempt employee's regular salary regardless, as outlined in the Payroll Deductions policy.
- Exempt and non-exempt employees already scheduled to be off during emergency closings are charged such leave as was scheduled.

### Other Work Options

Supervisors may approve requests for employees to temporarily work from home, if doing so allows completion of work assignments.

## **WORKPLACE GUIDELINES**

### **HOURS OF WORK**

Employees are expected to be at their work area and ready to work at their scheduled time. Employees will be given their work hours upon hire and at the time of any change in position. If the normal work hours are changed or if the Company changes its operating hours, employees will be given notice.

### **OFF-THE-CLOCK WORK**

Non-exempt employees must accurately record all time worked, regardless of when and where the work is performed. Off-the-clock work (doing work that is not reported in the timekeeping system) is prohibited. No member of management may request, require, or authorize non-exempt employees to perform work without compensation. Any possible violations should be reported promptly to a member of management.

### **MEAL PERIODS**

Employees under age 18 who are scheduled to work five or more consecutive hours in one workday are entitled to take a non-compensated meal period each workday of 30 minutes.

Employees over the age of 18 are entitled to 30-minute meal break, unpaid. A 15-minute rest break will also be provided.

### **LACTATION ACCOMMODATION**

The Company provides a supportive environment to enable breastfeeding employees to express milk during work hours. Accommodations under this policy include unpaid break time and a private place (other than a bathroom) that is close to the employee's work area to express milk.

When possible, time provided under this policy should be taken concurrently with other breaks to which the employee is entitled. Employees will be paid for the duration of their regular rest breaks, if applicable, and additional time will be unpaid. Exempt employee pay will not be affected by lactation break time.

Any form of discrimination or harassment related to breastfeeding is unacceptable and will not be tolerated.

### **ATTENDANCE AND TARDINESS**

Employees are expected to be at work and ready to go when their scheduled shift begins or resumes. If an employee is unable to be at work on time, or at all, please call 732-375-9216 no later than 1 hour before the start of their scheduled shift. Employees must leave a voicemail with their name, department and reason for the absence. Employees are also required to provide a contact number where they can be reached in the event management needs to call the employee for additional information. If an employee's

manager is not available, the employee should contact another member of management. If an employee is physically unable to contact the Company, they should ask another person to make contact on their behalf. Leaving a message with a co-worker or answering service is not considered proper notification. Excessive tardiness or absences are unacceptable job performance.

When an employee calls in absent, they should provide their expected time or date of return. The Company reserves the right to require proof of the need for absence, if allowed by law. If an employee is absent for three consecutive days and has not provided proper notification, the Company will assume that the employee has voluntarily quit their position and will proceed with the termination process.

If an employee becomes ill during their scheduled work day and feels they may need to leave before the end of their shift, they should notify their manager immediately. If an employee is unable to perform their job at an acceptable level, they may be sent home until they are well enough to work.

Absences should be arranged as far in advance as possible. When an employee needs to be absent during the workday they should attempt to schedule their outside appointment or obligation so that their absence has the smallest impact possible on business operations.

#### **PERSONAL APPEARANCE AND HYGIENE**

Employees are expected to present a professional image, both through behavior and appearance. Accordingly, employees must wear work-appropriate attire during the workday or any time they are representing the company. Clothing does not need to be expensive, but should be clean and neat in appearance. Employees should consider their level of customer and public contact and the types of meetings they are scheduled to attend in determining what attire is appropriate.

The following are generally not acceptable:

- Bare feet or flip flops
- Spandex, sweats, or work out attire
- Sagging pants, shorts, or skirts
- Sexually provocative clothing or exposed undergarments
- Clothing with offensive slogans or pictures
- Clothing showing excessive wear and tear
- Any clothing or accessories that would present a safety hazard
- Visible tattoos that are not appropriate in content

All employees are expected to maintain appropriate oral and bodily hygiene. Hair (including facial hair) should be clean and neat. Accessories should not interfere with an

employee's work. The excessive use of perfume or cologne is unacceptable, as are odors that are disruptive or offensive to others or may exacerbate allergies.

Managers are responsible for enforcing dress and grooming standards for their department. Any employee whose appearance does not meet these standards may be counseled. If their appearance is unduly distracting or the clothing is unsafe, the employee may be sent home to change into something more appropriate.

Reasonable accommodation will be made for employees' sincerely held religious beliefs and disabilities when such accommodations do not cause an undue burden. Employees who would like to request an accommodation or have other questions about this policy should contact their supervisor.

#### **CONFIDENTIALITY**

Employees may not disclose any confidential information or trade secrets to anyone outside the Company without the appropriate authorization. Confidential information may include internal reports, financials, client lists, methods of production, or other internal business-related communications. Trade secrets may include information regarding the development of systems, processes, products, design, instrument, formulas and technology. Confidential information may only be disclosed or discussed with those who need the information. Conversation of a confidential nature should not be held within earshot of the public or clients.

When any inquiry is made regarding an employee, former employee, client, or customer, the inquiry should be forwarded to a manager or Human Resources without comment from the employee.

This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. In addition, nothing in this policy is intended to infringe upon employee rights under Section 7 of the National Labor Relations Act.

#### **SOLICITATION AND DISTRIBUTION**

Solicitation during work time and in work areas is prohibited. Solicitation is defined as the act of asking for something, selling something, urging someone to do something, petitioning, or distributing persuasive materials. This could include, but is not limited to, asking for donations for a child's school (including through sales of a product), attempting to convert someone to or from a religion, distributing political materials, or collecting signatures. Work time includes time when either the person soliciting, or being solicited to, is scheduled to be performing their work duties. Work areas include areas where employees generally do work, such as cubicles, offices, or conference rooms, and does not include areas such as the lunch or break room.

This policy does not prevent employees from using their approved breaks and rest periods to solicit outside of working areas and is not intended to infringe an employee's Section 7 rights. Those not employed by the company are prohibited from solicitation on company property at all times.

#### **CONFLICT OF INTEREST**

A conflict of interest arises when an employee is engaged in activity that could be detrimental to the company. This includes when an employee improperly uses their position with the company for personal gain or the gain of someone with whom they have a relationship. *Improper use* includes behavior that is illegal, as well as behavior that is unethical or questionable to a reasonable person. These are some examples of a conflict of interest:

- An employee requesting or requiring gifts or discounts in exchange for starting or continuing a business relationship with a client or vendor
- An employee selecting a relative's company as a supplier when they have not produced the best proposal
- An employee taking a second job working for a competitor and sharing confidential company information with the competitor
- An employee taking a second job that interferes with their ability to do their work for the Company at their full potential, whether due to scheduling, exhaustion, or some other factor

Because how things appear, whether accurate or not, has a significant impact on the Company's reputation, employees should also avoid the appearance of a conflict of interest. If questions arise as to whether a certain activity or behavior is a conflict of interest, employees should speak with their manager or HR.

#### **BUSINESS GIFTS**

Employees are prohibited from directly or indirectly requesting or accepting a gift for themselves or the company that has a value of \$50 or more. If an employee is offered or given anything of value from any client, prospective client, vendor, or business partner in connection with company business, they should alert their manager immediately.

#### **OUTSIDE ACTIVITIES**

Employees may engage in outside employment during non-working hours, provided doing so does not interfere with their job performance or constitute a conflict of interest. Prior to accepting outside employment, employees should notify their manager in writing. The notice must include the name of the Company, the title and nature of the position, the number of working hours per week, and the time of scheduled work hours. If the position constitutes a conflict of interest or interferes with the employee's job at any time, they may be required to limit or end their outside employment.

### **REPORTING IRREGULARITIES**

Employees should immediately report any actual or suspected theft, fraud, embezzlement, or misuse of Company funds or property, as well as suspicious behavior. An employee who is aware of such activity but does not report it will be considered part of the problem and disciplined accordingly.

### **INSPECTIONS AND SEARCHES**

Any items brought to or taken off of Company premises, whether property of the employee (e.g., purses, backpacks, briefcases, etc.) the Company, or a third party, are subject to inspection or search at the time clock at the end of day, unless prohibited by state law. Desks, lockers, workstations, work areas, computers, USB drives, files, e-mails, voice mails, etc. are also subject to inspection or search, as are all other assets owned or controlled by the Company. Any inspection or search conducted by the Company may occur at any time, with or without notice. Failure to submit to a search will be grounds for discipline.

### **HARDWARE AND SOFTWARE USE**

The following guidelines have been established for using the Internet and email in an ethical and professional manner. For the purpose of this policy, Company Internet includes productivity software, instant messaging applications, the Company cloud and networks, the intranet, and any other tool or program provided by or through the Company or its internet connection.

- Company Internet and email may not be used for transmitting, retrieving or storing any communications of a defamatory, discriminatory, harassing, or obscene nature.
- Telephones should only be used for company business. Employees should be professional and conscientious at all times when using Company phones or when using a personal phone for company business.
- Use of personal cell phones or other devices should be held to a reasonable limit. Reasonableness will be determined by management.
- Disparaging, abusive, profane, and offensive language are forbidden.
- Employees must respect all copyrights and may not copy, retrieve, modify, or forward copyrighted materials, except with permission or as a single copy for reference only. Almost every piece of content is or could be copyrighted (a notice of copyright is not required), so employees should proceed with caution when using or reproducing materials.
- Unless necessary for work, employees should avoid sending or receiving large files, watching videos, mass-forwarding emails, or engaging in other activities that either consume large amounts of bandwidth or create electronic clutter.
- Employees may not download any programs, applications, browser extensions, or any other files without prior approval or upon request of a manager.
- Each employee is responsible for the content of all text, audio, or images they place on or send over the Company's internet and email system. Employees may not send messages in which they are not identified as the sender.

- Email is not guaranteed to be private or confidential. The Company reserves the right to examine, monitor, and regulate email messages, directories, and files, as well as internet usage.
- Internal and external email messages are considered business records and may be subject to discovery in the event of litigation.

All company-issued hardware and software, as well as the email system and Internet connection, are Company-owned. Therefore, all Company policies are in effect at all times when they are in use. Access to the internet through the Company's network is a privilege of employment that may be limited or revoked at any time.

## **SOCIAL MEDIA**

### The Guiding Rule

Conduct that negatively affects an employee's job performance, the job performance of fellow employees, or the Company's legitimate business interests—including its reputation and ability to make a profit—may result in disciplinary action up to and including termination.

Below are some guidelines for the use of social media. These guidelines are not intended to infringe on an employee's Section 7 rights and any adverse action taken in accordance with this policy will evaluate whether employees were engaged in protected concerted activity.

### Avoiding Harassment

Employees must not use statements, photographs, video, or audio that could reasonably be viewed as malicious, obscene, threatening, or intimidating toward customers, employees, or other people or organizations affiliated with the Company. This includes, but is not limited to, posts that could contribute to a hostile work environment on the basis of race, sex, sexual orientation, disability, religion, national origin, or any other status protected by state or federal law.

### Avoiding Defamation

Employees must not post anything they know or suspect to be false about the Company or anyone associated with it, including fellow employees and clients. Writing something that is untrue and ultimately harmful to any person or organization is defamation and can lead to significant financial liability for the person who makes the statement.

### Confidentiality

Employees must maintain the confidentiality of Company trade secrets and confidential information. Trade secrets include, but are not limited to, information regarding the development of systems, products, and technology. Private and confidential information includes, but is not limited to, customer lists, financial data, and private personal information about other employees or clients that they have not given the employee permission to share.

### Representation

Employees must not represent themselves as a spokesperson for the Company unless requested to do so by management. If the Company is a subject of the content being created—whether by an employee or third party—employees should be clear and open about the fact that they are employed with the Company but that their views do not necessarily represent those of the Company.

### Accounts

Employees must not use Company email addresses to register for social media accounts unless doing so at the request of management. Employees who manage social media accounts on behalf of the Company should ensure that at least one member of management has all the login information needed to access the account in their absence.

### **PERSONAL CELL PHONE USE**

The use of personal cell phones, or work cell phones for personal matters, should be held to a reasonable limit during work hours and not interfere with an employee's productivity or the productivity of their coworkers. Reasonableness will be determined by management.

### **PERSONAL PROPERTY**

The Company is not liable for lost, misplaced, or stolen property. Employees should take all precautions necessary to safeguard their personal possessions. Employees should not have their personal mail sent to the Company, as it may be automatically opened, and should check with their manager before having larger items delivered to the workplace.

### **PARKING**

All parking is at an employee's own risk. Employees and visitors should lock their vehicles and take appropriate safeguards to protect their valuables, including removing them from the vehicle if appropriate under the circumstances. Employees are not to park in areas reserved for visitors.

## **EMPLOYMENT SEPARATION**

### **RESIGNATION**

The Company requests that employees provide at least two weeks' written notice of their intent to resign. This notice should be submitted to an employee's manager. Dependent upon the circumstances, an employee may be asked to not work any or all of their notice period, in which case they will be allowed to use up to two weeks of unused vacation, if available, from the time notice is given. An exit interview may be requested.

### **TERMINATION**

All employment with the Company is "at-will." This means that either the Company or the employee can terminate the employment relationship at any time, with or without notice, and for any reason allowed by law or for no reason at all. An employee's at-will status can only be changed by written contract, signed by both the employee and the President or CEO.

### **PERSONAL POSSESSIONS AND RETURN OF COMPANY PROPERTY**

All Company property, such as computer equipment, keys, tools, parking passes, or Company credit cards, must be returned immediately at the time of termination. Employees may be responsible for any lost or damaged items. When leaving, employees should ensure that they take all of their personal belongings with them.

## EMPLOYEE HANDBOOK ACKNOWLEDGEMENT

### O'NEILL LOGISTICS

I acknowledge receipt of the Company's Employee Handbook and agree to follow the guidelines within it. I also acknowledge the following:

1. Receipt of this handbook does not create a contract of employment or in any way alter my at-will employment status; the Company or I can end the employment relationship at any time, with or without notice, and with or without cause.
2. I am not entitled to any particular sequence of disciplinary measures prior to termination.
3. With the exception of the at-will employment policy, this handbook may be modified at any time.
4. Violation of any policy in this handbook, or any policy included as an addendum, may be grounds for discipline, up to and including termination.
5. This handbook does not include every process, policy, and expectation applicable to employees, or my position specifically; I may be counseled, disciplined, or terminated for poor behavior or performance even if the behavior or performance issue is not addressed in the handbook.
6. Should any provision in this handbook be in conflict with federal, state, or local law, that provision only will be considered ineffective, while the rest of the handbook remains effective.
7. If I have questions regarding any policy in this handbook, or other expectations related to my behavior or performance, it is my responsibility to speak with my manager or Human Resources.

---

Signature

---

Printed Name

---

Date

s