



**Joe Johnson  
Equipment LLC.**

*Subsidiary of Federal Signal Corporation*

# Joe Johnson Equipment LLC General Employment Policies and Procedures Manual

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## **Our General Employment Policy Manual**

This Manual is a summary of our General Employment Policies and Procedures and applies to all US JJE Employees.

This manual is not inclusive of your employment with Joe Johnson Equipment LLC and may be changed at the discretion of management. There will be more policies in effect that apply within your specific department put in place by your Manager and more obligations specific to your position found in your job description.

This is not the sole document of all employment requirements and/or expectations. In the interest of your own safety, the safety of others, the mental and physical health of all staff, to maintain the effect our insurance policy, and to maintain efficient operations at JJE, we take breaches of our Policies and Procedures very seriously.

IT IS **YOUR** DUTY TO KNOW ALL OF THE POLICIES AND PROCEDURES THAT APPLY TO YOU ... “ignorance of the law is no excuse” for breaching a policy or procedure. Where additions or revisions are made, such changes will be inserted into this manual, emailed to all staff that have email access, and posted in the department for all others. It is at the time of issuance that the new policy comes into effect and is enforceable. We encourage you to review this manual at least quarterly to ensure you are familiar with all of its requirements. You **MUST** read it at least once per year. Please, ask your manager or Human Resources for any clarification on any topic contained herein.

**Policy & Procedure: USP100**  
**Subject: Confidential Information & Records**

**PURPOSE**

To advise every employee of their responsibilities in maintaining specific information and records under strict confidence.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

In the course of your employment at Joe Johnson Equipment LLC, you may come into contact with confidential information, confidential records and goods that are the property of Joe Johnson Equipment LLC. This information must be kept confidential and is not for public information. No records or documents are to be removed from Joe Johnson Equipment LLC without permission from Senior Management.

Anyone who discloses confidential information, removes company records or removes goods without permission will be terminated immediately. (If you leave your employment and take with you any records, information, goods or property, this will be considered theft and treated as such).

"Confidential information" is defined as any and all knowledge and/or information that may be obtained in the course of employment with respect to the conduct and details of the business including, but not limited to, personnel, product and parts pricing, sales forecasts, technical bulletins / advice regarding products, marketing strategies, financial information of any kind, and any and all information regarding our customers and suppliers and business objectives used by the employer and will be forever held inviolate and is concealed from any competitor and all other persons not considered as an employer or employee or agent in representation of Joe Johnson Equipment LLC.

Each employee at Joe Johnson Equipment LLC is required to treat all information that is created or obtained while working for Joe Johnson Equipment LLC as strictly confidential and not to disclose any information that could reasonably be assumed to adversely affect the competitiveness of Joe Johnson Equipment LLC.

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## **Policy & Procedure: USP101**

### **Subject: Employee Orientation**

#### **PURPOSE**

Orientation is designed to welcome new employees and ensure each employee is knowledgeable on the safety rules, codes of conduct, and other general expectations, while working at Joe Johnson Equipment LLC.

#### **SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

#### **DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

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#### **POLICY**

Orientation is conducted within the employees first week of employment and includes:

- A meeting with Human Resources to collect or complete the employee orientation which will include (where applicable):
  - New hire paperwork, including tax forms
  - Compensation and benefits enrollments
  - Company background, values, goals, etc.
  - Review of all Company policies and procedures
  - Reporting structures
  - Performance standards / expectations for performance appraisal
- A Health and Safety Orientation conducted separately at the home branch which will include (where applicable):
  - Safety/security procedures, location of emergency equipment, Emergency Preparedness Process, emergency exit routes, etc.
  - Health and safety hazards
  - Safe working practices
- A walk-around tour and introduction to staff members. If the employee is located at the head office, this will be completed by Human Resources and if the employees is located at a branch other than the head office, this will be completed by the employees' manager/supervisor.

#### **Introductory Period**

The Introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the position is the right fit for both parties.

Joe Johnson Equipment LLC uses this period to evaluate employee capabilities, fit, work habits, and overall performance. During this time, if management does not feel the employee is appropriate for the position for any reason, the employee will be dismissed without notice and

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will be paid only for the time worked.

Either the employee or Joe Johnson Equipment LLC may end the employment relationship, at any time with or without notice.

All new employees' introductory periods shall be a minimum of 90 calendar days after their date of hire. Any significant absence will automatically extend the introductory period by the length of the absence. If Joe Johnson Equipment LLC determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period of time by Joe Johnson Equipment LLC, at the Company's full discretion.

After successful completion of the introductory period, employees will be eligible for other Joe Johnson Equipment LLC Employee Benefits, as per the employee's specific offer letter. Human Resources will provide the employee with required paperwork for Compensation Plan entitlements. It is the employee's responsibility to complete this paperwork and return to Human Resources to ensure eligibility and timely enrollment.

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**PURPOSE**

To ensure that every employee at Joe Johnson Equipment LLC is working to their fullest potential and not compromising the company's interests.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC

**DEFINITIONS (for the purpose of this policy)**

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An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Employees shall notify Senior Management prior to engaging in any form of secondary employment. Joe Johnson Equipment LLC reserves the right to deny any request for secondary employment if, in Joe Johnson Equipment LLC's sole discretion:

- The secondary employment, in any manner, conflicts with Joe Johnson Equipment LLC, or creates a conflict of interest for either party,
- Interests or public image of Joe Johnson Equipment LLC may potentially be jeopardized,
- The employee's availability or performance at Joe Johnson Equipment LLC (including the potential requirement for over-time hours) is potentially affected, and/or
- The secondary employment involves working for an organization that does business (vendor or customer) with Joe Johnson Equipment LLC.

If Joe Johnson Equipment LLC determines that an employee's existing outside work interferes with performance or the ability to meet the requirements of Joe Johnson Equipment LLC and communicates this to the employee, then the employee will be requested to terminate the outside employment if he or she wishes to remain with Joe Johnson Equipment LLC. All employees will be subject to Joe Johnson Equipment LLC's scheduling demands, regardless of any existing outside work requirements.

No employee shall engage in any other activity that compromises Joe Johnson Equipment LLC's image. This prohibition includes the unauthorized use of any company owned tools, equipment and/or resources. In addition, employees are not to conduct any outside business (be it personal errands or secondary employment related) during the hours they are scheduled to work for Joe Johnson Equipment LLC. Unapproved use of Joe Johnson Equipment LLC facilities, equipment, supplies, or time for engaging in personal use, secondary employment or hobbies will result in disciplinary action up to and including termination.

**Subject: Open Door Communication**

**PURPOSE**

To provide resolution to any internal conflict and opportunity for Joe Johnson Equipment LLC's employee's to openly communicate their thoughts, opinions, and workplace situations.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

To achieve the highest quality work environment, Joe Johnson Equipment LLC encourages all staff to share thoughts and ideas, provide feedback and suggestions, and to communicate opinions. Sometimes, others do not share these same opinions, and differences are expected.

How we handle those differences of opinion is very important. Discussing the issue rationally with the opposing party is recommended where appropriate. When there is no immediate resolution, the best course of action is for the employee to bring it to the attention of his/her Manager. If the conflict happens to involve their Manager directly, then the matter should be brought to the attention of the Human Resources or the Senior Management for intervention and resolution.

If the conflict cannot be resolved verbally, the employee may submit the incident in writing to their Manager and/or Human Resources. In order to resolve conflicts in a timely manner it is expected for the employee to present the issue as soon as possible from the actual incident or knowledge of the incident. Staff can expect that communication will be held in strict confidence and complete discretion will be used by those involved with the conflict. Employees are expected to use discretion themselves regarding the incident while resolution is being evaluated and processed.

Where an investigation is necessary, Human Resources and/or Senior Management shall be involved in conducting such an investigation. Human Resources shall develop a report on the finding of the investigation and provide recommendation(s) on the appropriate course of action.

**Subject: Employee Privacy Policy**

**PURPOSE**

To ensure all aspects of employment at Joe Johnson Equipment LLC comply with the Company's goal of protecting the monitoring, collection, use and disclosure of personal information of prospective, current and former employees of Joe Johnson Equipment LLC.

**SCOPE**

This policy is applicable to all current, prospective and former employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

The Employee Privacy Policy contains the principles that are observed by Joe Johnson Equipment LLC regarding the collection, use and disclosure of personal information about current, prospective and former employees of Joe Johnson Equipment LLC.

**Personal Information**

For the purpose of this policy, "Personal Information" is defined as information which identifies an individual, including:

- Home address and home telephone number,
- Birth date as it relates to age,
- Compensation and performance assessments,
- Medical and benefit information,
- Family and marital status, and/or
- Information obtained during the hiring practices

Personal information shall exclude the individual's name, position title, business contact information, career experience, any use of company equipment including but not limited to electronic mail, telephone, and computer use, and any other information about the individual that is readily available to the public.

**Consent**

Consent requirements may vary depending on circumstances and upon the type of personal information that Joe Johnson Equipment LLC intends to collect, use or disclosure. In its sole discretion, Joe Johnson Equipment LLC will determine whether an employee's consent is required based on the level of sensitivity of the personal information and the purpose for which the information is to be used.

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**Collection**

Unless the purpose for the collection is obvious, the collection of personal information shall be identified to the individual prior to collection. The Company will only collect the amount and type of information that is necessary to meet the Company's records and processing of information requirements.

Joe Johnson Equipment LLC will collect personal information about employees during employment or prospective employment for various purposes, primarily to establish and manage the employment and/or other working relationships between Joe Johnson Equipment LLC and their employees. Where information is collected, Joe Johnson Equipment LLC shall identify the purposes for which personal information is collected at the time of or prior to the information being collected.

Joe Johnson Equipment LLC may also collect personal information from other sources including previous employers, personal references or other third parties to whom the employee has given permission to disclose the information.

**Use and Disclosure**

Joe Johnson Equipment LLC shall not use or disclose personal information for purposes other than those for which it was collected, except with the consent of the employee or the use and disclosure is authorized by law.

Human Resources may disclose personal information to other Human Resource departments or Senior Management of prospective employer(s) for the purposes of providing references regarding current or former employees. Where no written consent had been provided, Human Resources shall disclose general employment information including position(s) and effectiveness within the position while at Joe Johnson Equipment LLC, employment dates, when employment has ceased.

Where a third party agency acting on Joe Johnson Equipment LLC's behalf or legal bodies require employee's personal information, Joe Johnson Equipment LLC will not require the employees consent.

Such Agency shall include but is not limited to Consultants, Brokers representing the Company, Benefit providers, Government Agencies and Auditors. Such personal information will be disclosed under strict confidence and only where such information is required. Although Joe Johnson Equipment LLC will protect and limit the use of personal information about our employees that is disclosed to third parties, Joe Johnson Equipment LLC is not responsible for the subsequent use or disclosure of personal information.

**Accuracy**

Joe Johnson Equipment LLC takes appropriate steps to ensure that personal information is accurate, complete and up-to-date to minimize the possibility that inaccurate personal information is used to make a decision about Employees.

**Security**

Joe Johnson Equipment LLC will provide safe practices to ensure the security of personal information is protected against the loss or theft. Such information is restricted to specific positions held within the organization under lock and key to safeguard such information from unauthorized access, disclose, copying, use or modifications.

Positions within the organization that are authorized to obtain personal information include Executives, Senior Management, Reporting Manager and their successor, Payroll and Human Resources.

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**Retention and Disposal**

Personal information is kept as long as necessary to satisfy the purposes for which the information was obtained. Personal information that has been used to make a decision about an employee shall be retained for a reasonable period, which will permit the employee to access the personal information after the decision has been made.

Specific legal requirements enforce the retention of personal information for a specified period of time. Employee files shall remain readily available for a reasonable period after employment has been terminated.

**Communication of Policies and Practices**

Joe Johnson Equipment LLC has a responsibility to communicate with the employees on the policies and practices that effect the management of personal information and will make these practices and policies readily available.

**Access to Personal Information**

Joe Johnson Equipment LLC accurately maintains and securely stores personnel files on each employee. The personnel file includes such information as the employee's job application, resume, background check information, current personal information, records of training, documentation of performance reviews, benefit and compensation records, discipline and other employment records.

Personnel files are the property of Joe Johnson Equipment LLC, and access to the information they contain is restricted. Generally, only the employee's Manager and Human Resources of Joe Johnson Equipment LLC who have a legitimate reason to review specific documentation on file and are permitted to do so upon Human Resources approval.

Employees who wish to review their own file should contact Human Resources. Employees may review their own personnel files, within three (3) working day of the request, where possible.

Information and forms within the personnel file or the file itself cannot be removed under any circumstances. The contents of the file are not transferable, should the employee terminate their relationship with Joe Johnson Equipment LLC and request these documents for another position and/or agency.

**Employees' Responsibility**

Your personnel records are accurately maintained and securely stored. Any changes in your life, including phone number, address, and family status should be noted in our records. In addition, the number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment, and other status reports should be accurate and current at all times. If any personnel data has changed please notify Human Resources as soon as possible.

**Monitoring of Company Property**

Joe Johnson Equipment LLC reserves the right to monitor any employee and use of company property including the monitoring of telephone, cellular phone, blackberry, computer hardware, computer software, electronic mail, vehicles, workstations, security system and any other company property that may be used by the employee and is not considered personal information.

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One purpose of monitoring such property is to ensure all employees are using such equipment for business purpose and not abusing such privileges. Monitoring employees' use of such equipment may occur at any time. In the event when the monitoring of an employee's usage of company property and the employee is found to be in violation of the any company policy, progressive discipline will apply.

**Joe Johnson Equipment LLC not liable for Improper Disclosure**

Joe Johnson Equipment LLC will use reasonable efforts to ensure that personal information is protected and handled only in accordance with this Policy. However, the Company accepts no responsibility for damages which may result from the inaccuracy, mismanagement, theft or erroneous disclosure of personal information provided that the Company had taken reasonable steps to protect said information.

**Complaint Resolution Process**

If an employee is concerned about Joe Johnson Equipment LLC's management of employee's personal information practices, the employee is advised to submit a written complaint to the attention of Human Resources. Human Resources will ensure all complaints are investigated and responses are made to any and all complaints under this policy in a timely manner. If the complaint is found to be justified, the Human Resources and Executives will take reasonable steps to amend the applicable application of the Privacy policy.

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**Subject: Email, Internet and Computer Use**

**PURPOSE**

It is the policy of Joe Johnson Equipment LLC to monitor, regulate the access, content and disclosure of information sent and received by employees using Joe Johnson Equipment LLC's computer resources including, but not limited to, the electronic mail system and the Internet.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Joe Johnson Equipment LLC's electronic mail system and Internet access is intended for employee use to conduct company business and is not to be made available for use by third parties (including suppliers, customers, or the general public) without prior authorization from Executives or Senior Management. Use of company assets including computer hardware and software for personal use is prohibited.

**Company Electronic Mail Addresses**

Everyone within the company is assigned an e-mail address with the intent to facilitate each employee in their roles at Joe Johnson Equipment LLC. Email is to be used to conduct company business.

**Proprietary Interest**

Joe Johnson Equipment LLC's resources, including but not limited to hardware, software, the electronic mail system and Internet access, are the property of the Company. As such, employees should not have an expectation of privacy in anything they create, store, send, receive or retrieve using the Company computer resources. Please review Joe Johnson Equipment LLC's Privacy Policy for additional information.

Employees expressly waive any rights of privacy in anything they create, store, send, or receive on the computer or through the Internet or any other computer network. Employees consent to allowing personnel of Joe Johnson Equipment LLC to access and review all materials employees create, store, send or receive on the computer or through the Internet or any user computer network or means. Employees understand that Joe Johnson Equipment LLC may use human or automated to monitor the use of its computer resources.

**Guidelines**

Use of the electronic mail system or Internet for solicitation of, or influence over, commercial ventures, religious or political causes, outside organizations, or other non-employment-related solicitations are strictly prohibited.

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Creating or distributing offensive messages or image data on the electronic mail system or retrieving offensive messages or image data from the Internet is prohibited.

Mass distribution of messages and image data not related to Company business (e.g. jokes, chain letters) is prohibited. Offensive messages or image data includes any inappropriate, disregard and unwanted circulation of messages or image data about race, ancestry, place of origin, age, sex, color, ethnic origin, national or aboriginal origin, distinctive groups or affiliations, creed, sexual orientation, marital status, family status, mental or physical disability, source of income, political and/or religious beliefs, or record of offenses.

The unauthorized distribution, loading and downloading of Joe Johnson Equipment LLC's trade secrets, copyright materials, proprietary financial information or similar confidential information is prohibited.

Confidential information should not be sent by electronic mail to anyone within the Company or outside the Company unless directly requested by Senior Management. When approval has been given, confidential electronic mail shall include the warning header "Privileged and Confidential – Do not forward without permission".

The collection of transmission of material in violation of federal, state or local laws is prohibited.

#### **Software Installation and Duplication**

Unauthorized duplication of copyrighted computer software is strictly prohibited. Any software installation on company owned computer hardware must be approved by the Director of Finance. Joe Johnson Equipment LLC's standard of conduct on this subject is as follows:

- We will neither engage in nor tolerate the making or using of unauthorized software copies under any circumstances.
- We will provide legally acquired software to meet our legitimate software needs in a timely fashion and in sufficient quantities for all our computers.
- We will comply with all license or purchase terms regulating the use of any software we acquire or use.
- We will set and enforce internal standards to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standardsand
- Appropriate disciplinary measures for violation of these standards.

#### **Downloading Files from Internet**

Downloading of music, images or software from the Internet is strictly prohibited unless specifically approved by the Executives or Senior Management. Downloading any peer to peer sharing programs or software is not allowed on company workstations. Rules for adherence of this policy apply from the full Internet Usage Policy and will be enforced as such.

#### **Hardware**

Acquisition of any new computer hardware or software must be approved by the Director of Finance prior to purchase. Any hardware used to access the corporate network must be approved by the Director of Finance prior to connectivity.

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**Confidentiality**

Notwithstanding Joe Johnson Equipment LLC's right to retrieve and read any or all electronic mail messages, using the Company's electronic mail system, such messages should be treated as confidential by other employees and accessed only by the intended recipient. The unauthorized access and retrieval of another employee's electronic mail is prohibited.

The content of electronic mail and information retrieved from the Internet, properly obtained for a legitimate business purpose, may be disclosed within the Company without the permission or authorization of the employee.

**Password**

Messages created, received or sent over the electronic mail system or through the Internet are not confidential. The use of a password to access or use the Internet or electronic mail system does not guarantee confidentiality or privacy. The Company reserves the right to change an employee's password without the employee's prior consent.

All messages, though erased and deleted, may still be retrievable and readable.

The appropriate use of encryption or password protection on any file, message or image data composed, sent, received or retrieved using the Internet or the Company's electronic mail system is permitted. All employees must disclose their password to Executives of the Company upon request. Passwords must be treated with the strictest of confidence and it is the responsibility of the employee to ensure their passwords remain confidential. Sharing of password other than to the Executives is prohibited. Certain employees maybe privy to confidential information such as employee personal data, customer information, vendor information etc., as such it is the responsibility of each employee to protect the unauthorized access to this information.

**Viruses**

Email or Files which you do not know the origin of should be immediately deleted. If you suspect an email or file contains a virus or intended to disrupt company information or hardware, please notify the IT Department immediately. Emails which contain attachments or zip files should be reviewed carefully before it is opened. If you do not know the original sender of this file please delete the file.

**General**

Joe Johnson Equipment LLC will not be responsible for any unauthorized use of the Company's electronic mail system or the Internet. Any employee who discovers any violation of this policy shall immediately notify the Director of Finance and Human Resources. Any employee found in contravention of this policy may be subject to disciplinary action up to and including termination of employment and/or legal action.

**Responsibility**

It is your responsibility to ensure that you comply with this policy. It is the responsibility of the IT Department to immediately notify Senior Management whenever they become aware of a violation or potential violation of this policy.

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## Policy & Procedure: USP106

### Subject: Telephone Communication

#### PURPOSE

To ensure all employees at Joe Johnson Equipment LLC clearly understand the expectations and their responsibilities with the Company telephone systems.

#### SCOPE

This policy is applicable to all employees of Joe Johnson Equipment LLC.

#### DEFINITIONS (for the purpose of this policy)

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#### POLICY

We expect that you will, from time to time, be making personal calls on company telephones (both landlines and mobile phones). If, however, it is noticed that you are spending an excessive amount of time on a company phone for personal use, it will be considered a breach of policy and a warning could be issued. Personal long distance calls are not permitted. Joe Johnson Equipment LLC is the owner of the telephone and therefore has the right to check all phone bills for any additional or long distance charges.

#### Cellular Phones

All cellular phones provided by Joe Johnson Equipment LLC must first be approved. Namely, no staff can simply go purchase a cell phone and charge the bill to Joe Johnson Equipment LLC. This includes replacement mobile phones.

All relevant staff with a company provided cell phone must have a message that clearly identifies to the caller that they have reached Joe Johnson Equipment LLC and identifies the user of the cell-phone. This information is pivotal to our phone system functioning properly. Again, Joe Johnson Equipment LLC owns the cell phone, so the caller needs to know they have reached "John Smith at Joe Johnson Equipment LLC", not just John.

Cellular phones provided by Joe Johnson Equipment LLC adhere to the same policies as landlines. We encourage the use of landlines as opposed to cellular phones whenever possible. We will not tolerate a staff person abusing the cellular phone by avoiding the use of landlines while present at a Joe Johnson Equipment LLC location.

#### Traveling Across Borders

When traveling to the US/Canada for any length of time on business, please notify the IT Department prior to the departure date so your cell phone plan can be changed temporarily to a US/Canadian plan for the duration of the trip. Upon your return, please notify the IT Department so the phone can be returned to its original plan. This process can ensure that we are saving significant amounts of money on our cell phone

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bills.

### **Land Lines**

All relevant staff with voicemail must clearly indicate in their message that the caller has reached Joe Johnson Equipment LLC, identifying the person and extension that they have reached. This information is pivotal to our phone system functioning properly. No personal long distance calls are allowed on company phones.

### **First Point of Contact**

If you are the first point of contact for the client/individual contacting Joe Johnson Equipment LLC, it is imperative that we represent the company in a professional manner by welcoming the caller with the following greeting process:

- “Good morning/afternoon Joe Johnson Equipment LLC. How can I help you?”
- Assist them to their designation and transfer them to the extension or page the individual they have requested.
- Where the transfer or page has not been successful, please transfer that individual to reception or into the voicemail.
- All employees are required to answer their phone in a polite manner by greeting the caller and indicating your name.

When caller is requesting information on the # of computers in the office, how long the company has been in business, the number of employees, who owns Joe Johnson Equipment LLC, or any other related matter, each call is to be transferred to the Director of Finance.

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**Subject: Smoking Restrictions**

**PURPOSE**

To ensure that all employees are informed of the designated smoking areas and adhering to all health & safety regulations and local By-Laws.

**SCOPE**

This policy is applicable to all employees ,contractors and visitors of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

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Smoking – the use of use of tobacco products, including cigarettes, smokeless tobacco, and electronic cigarettes.

**POLICY**

To protect everyone from the hazards of second-hand smoke and to ensure a healthy environment for all, Joe Johnson Equipment LLC strictly prohibits smoking anywhere in the building. Joe Johnson Equipment LLC strongly adheres to the applicable by-laws and/or State and State Legislation and therefore enforces the following policy:

- Any staff member who does smoke must do so in an outside designated area and use a proper receptacle to extinguish/dispose of the cigarettes to maintain a clean and presentable appearance for our customers and fellow employees.
- Smoking shall only occur on your designated breaks or lunch time.
- There is absolutely no smoking anywhere in the building. Any employee who is in violation of this Policy will be subject to disciplinary action(s) up to and including termination.

Failing to abide by this policy could be in conflict with local state laws, and upon conviction, is liable to a fine or penalty.

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**PURPOSE**

To communicate to all employees the expectations and results when misconduct and/or violation against his/her job description, legal requirements or company policies occur while employed at Joe Johnson Equipment LLC. The purpose is also to provide a framework and rules for each employee to follow to ensure all employees are working in a safe and productive environment.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI," Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Joe Johnson Equipment LLC has procedures and policies contained in this manual which apply to every member of our staff. Other procedures and policies are departmental and job specific requirements assigned by your Manager, and legislation which regulates conduct and requirements during employment. To maintain employment with Joe Johnson Equipment LLC Inc., you are required to meet these requirements and follow all company policies. It is the responsibility of the Manager to be intimately familiar with the contents of this manual and to ensure that all policies and procedures are adhered to and enforced to the letter within his/her respective department.

If a Manager believes that a policy or procedure is not being followed by a person who is a member of another department, then that Manager shall sit down with the Departmental Manager of the perceived offender and create a resolution. If an acceptable resolution cannot be reached between the two Managers to solve the problem then this must then, and only then, be brought to the attention of Human Resources to intervene and arrive at a solution.

Joe Johnson Equipment LLC Inc. has established the progressive discipline system to ensure that all employees are following all policies and procedures accordingly.

If the employee chooses not to comply with policies and procedures, or engages in any type of misconduct deemed unfit by Joe Johnson Equipment LLC standards, he or she will be subject to our disciplinary process.

Please note: Counseling is not considered a part of the progressive discipline but may be used at the discretion of the company in a case of any minor behavior that does not comply with Joe Johnson Equipment LLC's expectations, ethics, policies and/or procedures.

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### Progressive Disciplinary Process

The following are the guidelines to progressive discipline which are dependent on the severity of the misconduct. Human Resources will assist the Reporting Manager throughout the disciplinary process.

- Level 1** Your first offence may be subject to a verbal warning, confirmed in writing, depending on severity of the violation. This level of discipline is to assist the employee in identifying the area(s) where improvement is required and providing the employee with guidance to influence the proper behavior. The employee will also be advised of the consequences if another violation is to occur.
- Level 2** A second warning will be a written warning, depending on severity of violation. At the second warning your Manager will review your job description with you and identify the violated policy and/or procedure. It will also be determined if there is any additional guidance is required.
- Level 3** A third written warning, depending on the severity of violation. At this point, there will be an action plan developed for the employee and the immediate Manager to ensure that performance issues and behavior is corrected. The employee will also be advised of the consequences if another violation is to occur.
- Level 4** Grounds for Termination. It should be noted that any breach of any policy or procedure in this manual, in and by itself, constitutes grounds for dismissal. There are serious cases of misconduct that Joe Johnson Equipment LLC Inc. will not tolerate in any circumstance, and will be considered grounds for termination, even at a first offence. Some examples of serious misconduct, where termination is always warranted, but are not limited to the following:
- Gross negligence
  - Serious violation of the company code of conduct or of a company policy
  - Breach of contract
  - Serious misuse of the Company's name or property or putting the Company's reputation into serious disrepute
  - Deliberately accessing internet sites that contain pornographic or other offensive material
  - Misuse of confidential information
  - Serious insubordination
  - Violence or threats of violence in the work place
  - Discrimination or Harassment including Sexual Harassment in the workplace
  - Workplace Dishonesty (theft, regardless of the amount, time or company records, fraud of any kind, falsifying information on a resume/job application, deception and breach of trust)
  - Damage to property (includes deliberate or willful damage to property that can result in substantial loss or damage to property)
  - Off duty conduct (certain acts or criminal acts) that would damage the Company's name or reputation
  - Possession of a dangerous weapon in the workplace
  - Attending work under the influence
  - Serious breach of security and/or health and safety rules (act puts fellow employees in eminent danger)

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Based on the incident your Manager will discuss your employment with Senior Management. Management will decide on the disciplinary action to take.

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**Subject: Company Uniforms and Allowances**

**PURPOSE**

To ensure all employees, who are required to wear company uniforms and/or clothing apparel due to their position, clearly understand their responsibilities when in possession of such company clothing.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC for whom clothing is provided.

**DEFINITIONS (for the purpose of this policy)**

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An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Joe Johnson Equipment LLC will supply all shop employees with uniforms and/or coveralls. This uniform is mandatory when working in the service shop, or when doing a service call away from the service shop.

Each week the agent from the uniform company visits the premises dropping off clean uniforms and picking up the dirty ones. The employee must tag their uniform if it requires repair. Normal wear and accidental damage is expected, however, if a uniform is lost, or damaged willfully, the employee will be responsible for the replacement cost of the garment. All uniforms and coveralls are accounted for, so if any problems arise with an employee's uniform, the employee should report the problem to their Manager.

**Shop Staff**

Winter Work Apparel

The company will provide shop personnel a one-time maximum allowance of \$150 to put towards winter work apparel. This will include winter coats, insulated coveralls, and gloves, etc.

Road personnel will also receive an initial \$150 winter clothing allowance but may request additional funds from their Manager as required through the duration of their employment. These requests are subject to approval and all subsequent purchases must be pre-authorized by management prior to purchase.

Safety Work Boots

Service Mechanics, Technicians and Apprentice Mechanics are eligible for reimbursement of \$180.00 work boot allowance annually at the beginning of each calendar year following their first year of employment. Must provide supporting receipts and submit through Concur for Manager Approval and reimbursement.

Tool Allowance

Service Mechanics, Technicians and Apprentice Mechanics are eligible for reimbursement of \$400.00 tool allowance annually at the beginning of each calendar year following their first year of employment. Must provide supporting receipts detailing each tool purchased (not just payment). Receipts must be for tools purchased within calendar year and must be submitted for reimburse within same calendar year (i.e. 2020 tool allowance must be submitted by December 31, 2020 with receipts for purchases made in 2020). Submit through Concur for Manager Approval and reimbursement.

**Uniform Returns**

Upon termination of employment, the employee will hand in all uniforms and coveralls to be accounted for prior to their final pay. If there are uniforms or coveralls missing the employee will be responsible for the replacement cost of the garments. **Please refer to the Health and Safety Manual for details on Personal Protective Equipment.**

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**Subject: Attendance Management**

**PURPOSE**

To ensure all employees at Joe Johnson Equipment LLC are clearly aware of the expectations on an individual's attendance and the procedure to follow when an absence occurs.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI," Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

To maintain a safe and productive work environment, Joe Johnson Equipment LLC expects employees to be dependable and punctual for their scheduled work. Absenteeism and tardiness place a burden on other employees, the company, customers and suppliers. Each department may have particular attendance and absentee requirements that need to be followed. Such expectations will be discussed with you by your Manager during orientation and performance reviews.

**PROCEDURE**

1. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they are required to notify their Manager as soon as possible in advance of the anticipated absence or tardiness. This will allow for the Manager to arrange work accordingly, ensure employee's safety, and meet customer's and supplier's obligations.
2. The Manager is then required to inform notify Human Resources department as soon as possible after having been notified of the tardiness or absence.
3. In the event where absence and/or tardiness is abused or is continuous without prior approval, progressive discipline will apply. The Manager is advised to contact Human Resources prior to any discipline being issued. Management holds the right to request medical proof or other evidence to validate such circumstance.
4. Managers are also responsible for tracking attendance for all employees reporting to them.

Where there is excessive, continuous or a pattern of absences and/or tardiness without prior approval progressive discipline will apply. The Manager/Supervisor is advised to contact Human Resources to discuss the issue prior to any discipline being issued. Management holds the right to request from the Employee, any documentation or other evidence as proof of to validate such absences.

**Requested Absence**

Should an Employee request time away from work, which shall include vacation, bereavement, or any other leave, the employee is required to complete the "Absence Request Form" and provide this form to their Manager for review and approval.

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Should the Manager not approve the Employee's request for absence, the Manager shall discuss the reasoning for the decision. The Manager shall then provide Human Resources with the signed copy of the form for attendance records.

Manager approved absence requests shall advise Human Resources for final approval by sending the approved Absence Request form to [hrsupport@jjei.com](mailto:hrsupport@jjei.com) as soon as possible.

**EXHIBITS/FORMS**

- Absence Request Form - [P:\Human Resources\HR Forms\Vacation and Absence Request Form Ili.docx](#)

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**Subject: Workplace Violence and Harassment**

**PURPOSE**

To provide employees with a safe and healthy work environment that is free of violence and harassment and to ensure all employees receive equal respect and treatment, regardless of personal differences and to ensure a reporting process for workplace violence and harassment is made available and known by all employees.

**SCOPE**

This policy is applicable to all employees of the "Company" (Joe Johnson Equipment LLC), its contractors, suppliers, customers and visitors.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

Complainant – The person who has made a complaint about another individual whom they believe committed an act of violence against them.

Harasser/Accused – The person whom another individual has accused of committing an act of violence, an act of harassment.

Workplace Violence – Any action, conduct, threat or gesture of a person towards an employee in their work place that can reasonably be expected to cause harm, injury or illness to that employee.

Prohibited workplace or threats of workplace violence may include, but is not limited to, the following:

- Aggressive physical contact with another individual (e.g., hitting, shoving, pushing, kicking, throwing an object at or near another employee, kicking an object the employee is standing on such as a ladder, or trying to run down a employee using a vehicle or equipment such as a forklift);
- Threatening to harm an individual or their family, friends, associates or their property
- Intentional destruction or threat of destruction of property owned or operated by the Company
- Possession or use of any firearm, weapon, or any other dangerous device for the purpose of intimidation or injury of another person
- All threats or acts of violence occurring on Company property, regardless of the relationship between the Company and the parties involved in the incident
- All threats or acts of violence not occurring on Company property but involving someone who is acting in the capacity of a representative of the Company
- All threats or acts of violence not occurring on Company property, involving an employee of the Company, whereby the threats or acts of violence affect the interests of the Company

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Domestic Violence – A person who has a personal relationship with an employee of the Company—such as a spouse or former spouse, current or former intimate partner or a family member—may physically harm, or attempt or threaten to physically harm, that employee at work. In these situations, domestic violence is considered workplace violence.

Workplace Harassment:

- (a) *engaging in a course of vexatious comments or conduct against an employee in a workplace that is known or ought reasonably to be known to be unwelcome; or*
- (b) *workplace harassment.*

Acts of Harassment may include, but are not limited to, the following:

- Making harassing or threatening telephone calls, letters or other forms of written and electronic communication
- Intimidating or attempting to coerce an employee to do wrongful acts
- Harassing surveillance or “stalking” meaning the willful, malicious and repeated following of another person
- Making a remark suggesting or implying an act to injure persons or property

Reasonable action taken by the Company, Supervisor or Manager relating to the management and direction of employees or the workplace is not workplace harassment.

“Bullying” behavior may involve:

- Abuse of power, authority or control by a Manager or person of authority
- Repeated humiliation or intimidation by any person that adversely affects an employee’s psychological or physical well-being
- A single instance so serious that it has a lasting, harmful effect on an employee

“Discrimination” behavior may involve:

- Differential treatment of an individual or group of individuals which is based, in whole or in part, on one or more than one of the prohibited grounds of discrimination, and which thus has an adverse impact on the individual or group of individuals.

**POLICY**

The Company is committed to building and preserving, for its employees, a safe work environment based on mutual respect which is free from violence, threats of violence, discrimination, harassment of any kind, or intimidation. To meet this objective, it is the policy of the Company to communicate this policy to all employees, provide training for employees regarding this policy and its procedures, ensure that all incidents are investigated promptly and thoroughly, and that any recommended course of action is carried out accordingly.

The Company will encourage employees to report all incidents regardless of who the alleged offender(s) might be and can do so without any fear of reprisal and will ensure that there are no negative consequences for reports made in good faith.

Employees who do not follow the requirements of this policy will be subject to disciplinary action up to and including termination. The degree of discipline will be proportional to the nature and seriousness of the incident.

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Where a person employed by the Company has a history of violent behavior and the Company has knowledge of this history, the Company will provide personal information to any employee who is expected to encounter this person with a history of violent behavior and the employee is at risk of physical injury. The Company will only disclose to other employees as much information as necessary to protect other employees from physical injury.

All other persons; contractors, suppliers, customers and visitors to the Company must also comply with legislative requirements and the requirements of this policy. Individuals failing to abide by this policy will be promptly removed from the properties(s).

The Company will review the Workplace Violence and Harassment Policy as often as necessary but at least annually. As part of this review, the Company will also conduct an annual workplace violence risk assessment.

This policy has been developed in consultation with the Joint Health and Safety Committee (JHSC) and will be reviewed on an annual basis.

### **ROLES AND RESPONSIBILITIES**

The following responsibilities apply:

#### **Employer will:**

- Hold management accountable for responding to and resolving complaints of violence or harassment in a fair, objective and expeditious manner.
- Ensure compliance by all who have a relationship with the organization, such as contractors, suppliers, customers and visitors
- Consult with the JHSC or Health and Safety Committees, and conduct annual risk assessments
- Ensure strict confidence is adhered to by all parties involved
- Take necessary corrective actions
- Provide response measures

#### **Human Resources will:**

- Prepare a written policy with respect to Workplace Violence and Harassment and develop and maintain a program to implement the policy and review the policy as often as is necessary but at least annually.
- Ensure the Workplace Violence and Harassment Policy is posted in a conspicuous place.
- Establish and deliver training and education for all employees
- Develop a reporting process for incidents of workplace violence or harassment
- Participate in the investigation of all reports of workplace violence or harassment in a prompt, objective and sensitive way
- Take necessary corrective actions
- Provide response measures
- Track and analyze incidents for trending and prevention initiatives

#### **Manager/Supervisors will:**

- Do everything reasonable to stop any incidents of workplace violence or harassment that is suspected or are aware of in the workplace, whether or not a complaint is made

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- Work with Human Resources to take corrective action with anyone under their direction who initiates a violent act or harasses another person and implement disciplinary action when necessary
- Provide continued training and communication of the Workplace violence or harassment Policy

**Employees will:**

- Assist in eliminating and preventing violence or harassment in the workplace by working together in a professional and respectful manner
- Report all acts of violence or harassment, which threaten, or perceive to threaten, a healthy and safe work environment to their Supervisor, Manager or Human Resources.
- Cooperate in the investigation of a violence or harassment complaint
- Maintain confidentiality - anyone who gives evidence or information in an investigation, or is involved in the process must keep this information confidential
- Report immediately any incident or occurrence they have witnessed of a co-employee who has been subjected to any acts of violence or harassment in the workplace

**Joint Health and Safety Committee (JHSC)/Health and Safety Members will:**

- Be consulted about the development, establishment and implementation of Workplace violence or harassment Policy
- Make recommendations to the employer for developing, establishing and providing training in prevention measures and procedures
- Take part in the review of the Workplace violence or harassment policy at least once a year

**Visitors & General Public will:**

- Treat all employees with respect and abide by this policy while conducting business at the Company's workplace.

**PROCEDURE**

**How to Report Workplace Violence and Harassment:**

Any employee who believes they have been subject to an incidence of violence or harassment should, in all confidence and without fear of reprisal, personally report the incident or occurrence as soon as possible.

Employees are encouraged to report any incidents or situations of violence or harassment in a timely manner whether they have been subjected to such behavior or whether they observe, or know, of a fellow employee or group of employees who have engaged in, or been subjected to, workplace violence or harassment.

It is recommended that the harassed individual document any situations or discussions of harassment that have occurred.

Federal Government's Criminal Codes deal with matters such as violent acts threats and behaviors such as stalking. The police should be contacted immediately when an act of violence has occurred in the workplace or when someone in the workplace is threatened with violence. If an employee feels threatened by a co-employee, volunteer, contractor, student, vendor, visitor or client/ customer then an immediate call to "911" is required.

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Employees can report incidents or complaints of violence and harassment in writing using **Form 208.1**  
– **Workplace Violence and harassment Incident Report Form.**

The report of the allegation(s) should include the following information:

- Name of the reporting employee, name of the Complainant, and name of the alleged harasser
- Identifying and nature of the relationship of the harasser
- Name and account of the witnesses
- Details of the incident including events leading up to, and after the violent act or incidents of harassment
- Emergency steps taken
- Signature of reporting employee and individual taking the report

The Company is committed to working with the employee every step of the way in an informed manner. The Company recognizes that this issue may be sensitive and may have an emotional impact on the individual; therefore, no time limit will be instituted for reporting an incidence of violence or harassment.

**Who to Report Workplace Violence to:**

Employees are encouraged to report any incidents or situations of violence or harassment to their Supervisor, Manager or to Human Resources.

If the violent act is initiated by or the harasser is the Employer, Manager or Supervisor, the individual can report the violent act or harassment directly to the Human Resources Department.

Depending on the severity of the violent incident, the Supervisor/Manager or Human Resources will arrange transportation to a medical facility for medical care. The appropriate Labor Authority and/or Police will be contacted. The Supervisor will advise any employees who may be at risk.

**Who Will Investigate?**

The Manager/Supervisor and/or Human Resources will determine who will conduct the investigation into the incident or complaint of workplace violence and harassment.

The investigator must not be directly involved in the incident or complaint and must not be under the direct control of the alleged offender or harasser.

The investigator should have knowledge of how to conduct an investigation that is appropriate in the circumstances.

The investigator must make reasonable efforts to interview all parties involved (including witnesses), even if they are not employees and must give the alleged offender or harasser the opportunity to respond to the specific allegations raised.

Depending on the allegations and the people involved, the investigation may be referred to an external investigator to conduct an impartial investigation.

**Timing of the Investigation:**

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Investigations should be completed within 90 calendar days, unless there are extenuating circumstances (i.e. illness, complex investigation) warranting a longer investigation.

**Investigation:**

Once a complaint has been received, a thorough investigation will take place. The investigation will be appropriate to the circumstances of the complaint and all findings of the investigation will be formally documented.

- The “Investigator(s)” should review the Workplace Violence and harassment Policy before starting the investigation process
- If the resolution of the incident is beyond the authority of a manager, supervisor or Human Resources, the General Manager is to be made aware of the incident
- In a crisis situation, the alleged offender or harasser may be immediately suspended or removed from the workplace to ensure the safety of others until the investigation is complete. The suspension will be with pay

In the event that a complainant’s concerns were not resolved at the workplace or they feel the threat still exists then the complainant has a right to contact their State Employment Standards office with the complaint and can do so without any fear of reprisal.

**The following are the steps of the investigation process:**

1. Supervisor/Manager or Human Resources will take the complaint from reporting employee
2. Obtain a Description of the Incident/Claim
  - ☐ Listen to the employee, and ensure that they provide a full account of the incident(s)
  - ☐ Ensure that you treat the matter seriously, using a professional manner and avoid discounting their difficulties in coming forward and telling the story
  - ☐ Contact the company legal department where it appears that the situation may require legal action
  - ☐ Obtain a written, signed and dated statement from the claimant
  - ☐ Ensure that the employee is free from retaliation as a result of their coming forward
  - ☐ Ask the employee if there is a resolution that can be reached or if they wish to file a complaint with the authorities
  - ☐ Report the details by using the Workplace Violence and harassment Incident Report Form
3. Conduct an Investigation into the Incident / Claim
  - ☐ Conduct your investigation immediately after learning of the complaint
  - ☐ Ensure that the investigation remains confidential, and that all information gathered remains confidential. Information should be shared only where necessary, and with appropriate parties They must also be informed of the need to remain confidential
  - ☐ Investigate all claims seriously
  - ☐ Document all information appropriately
  - ☐ Contact the authorities where appropriate
4. Interview the Complainant
  - ☐ Obtain a full account of the incident, and document all details provided
  - ☐ Determine any potential pattern involved, or if the incident was a singular occurrence
  - ☐ Determine if the incident was influenced by any contextual factors
  - ☐ Identify any reporting relationships, or hierarchical structures that may have influenced the incident(s)

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- ☐ Determine a timeline of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were
  - ☐ Examine the potential of a charge made under false pretenses, and any motivating factors that may be involved. Work to rule out these potential elements
  - ☐ Inform the complainant that a thorough investigation will take place
  - ☐ Obtain a written, signed and dated statement from the claimant
  - ☐ Ensure that the employee is free from retaliation as a result of their coming forward
5. Interview the Accused
- ☐ Obtain a written, signed and dated statement from the claimant
  - ☐ Describe the details of the accusation, and ask for clarification on any discrepancies between the two stories
  - ☐ Identify any reporting relationships, or hierarchical structures that exist between the parties
  - ☐ Determine a time-line of events associated with the incident, and what the job duties of each party were at the time of the incident, and what their expected locations were
  - ☐ Determine any potential for retaliation or reprisal, and inform the accused that this would be unacceptable
  - ☐ Document all pertinent details of the interview, including observations of behavior displayed and their account of the incident
6. Interviewing Witnesses
- ☐ Obtain written, dated and signed statements from any witnesses
  - ☐ Ensure that the employee is free from retaliation as a result of their coming forward
7. Resolve the Complaint
- ☐ Where a transfer is either requested or required, ensure that it does not create a negative impact on their employment
  - ☐ Where disciplinary action is required, determine the level of discipline based on the severity of the incident, previous action taken in similar circumstances, the employees previous history, and the frequency
  - ☐ Review, revise and re-communicate Company policy on Workplace Violence and harassment
  - ☐ Place documentation of the complaint, investigation, rulings, discipline imposed, and any actions taken into confidential files and not the personnel files of the parties involved
  - ☐ Provide written findings to both the complainant(s), the alleged offender or harasser(s) of the outcome of the investigation and any remedies or disciplinary action taken as a result of findings
8. Finalize the Investigation report by reporting the details of the investigation, the parties involved, evidence gathered, authorities contacted, the summary of findings and the resolution of the complaint by using and **Form 208.2 – Workplace Violence and harassment Findings Report Form.**
9. Provide the completed investigation report to the General Manager.

#### **Results of the Investigation:**

The results of an investigation and any corrective action must be communicated in writing to the complainant and the alleged offender or harasser within 10 calendar days of the conclusion of the investigation. There is no requirement for the investigation report itself to be shared with such persons.

#### **Disciplinary Action:**

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- ☐ Where the investigation finds evidence and a violation has been affirmed, The Company, in alignment with the Progressive Discipline Policy, will take appropriate action including disciplinary up to and including termination of employment
- ☐ Where the investigation does not find evidence to support the complaint, no action will be taken against the alleged harasser
- ☐ It is a violation of this Workplace Violence and harassment Policy for anyone to knowingly make a false complaint, or to provide false information about a complaint. If an investigation results in a finding that the complainant *intentionally falsely accused* another of workplace violence, the Company will take appropriate disciplinary action in alignment with the Progressive Discipline Policy

#### **Work Refusal:**

Employees have a right to refuse work where there is reason to believe that workplace violence is likely to endanger that employee. The employee under this refusal is not required to remain at their immediate work location until an investigation is complete and are encouraged to seek and remain in a safe place.

#### **Support:**

Any employee who has been harmed as a result of a violent act or incident of harassment in the workplace has the right to assistance. The Company recommends that any employee who has been a victim at the workplace seeks health care assistance and/or consultation.

The Supervisor/Manager and HR Manager will review the incident and its effects and take reasonable steps to accommodate employees involved in the incident.

#### **Confidentiality:**

All records of violence and harassment and subsequent investigations, are considered confidential and will not be disclosed to anyone except to the extent required by law. The Company will do everything it can to protect the privacy of the individuals involved and to ensure that complainants and offenders or harassers are treated fairly and respectfully.

The investigator must remind all individuals involved in the investigation of their confidentiality obligation and protections.

All documentation and reports regarding workplace violence and harassment complaint(s) will be securely maintained by the investigator(s) throughout the process. All completed investigation reports and supporting documentation will be retained in the Human Resources office unless legally requested or administrative proceedings arise out of the workplace violence and harassment incident.

#### **TRAINING**

The Company will ensure that all employees are trained and educated on workplace violence, and that they are clear about their roles and responsibilities, as well as this policy and its procedures. In accordance with the Canada Occupational Health and Safety Regulations, all employees shall receive the following information, instruction and training:

- ☐ The nature and extent of workplace violence and/or harassment and how employees may be exposed to it;

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- ☐ The communication system established by the employer to inform employees about workplace violence and/or harassment;
- ☐ Information on what constitutes workplace violence and/or harassment and on the means of identifying the factors that contribute to these behaviors;
- ☐ The workplace violence and harassment prevention measures that have been developed; and
- ☐ The employer's procedures for reporting on risks and incidents of workplace violence and harassment

#### **COMMUNICATION**

A copy of this policy will be posted and made available to all employees.

Any of the following method(s) may be used to communicate this policy:

- ☐ Company email
- ☐ Company memo
- ☐ On-line posting
- ☐ Posting of policies and procedures
- ☐ Training
- ☐ Meetings and Safety talks

#### **EXHIBITS/FORMS**

- ☐ F208.1 – Workplace Violence and harassment Incident Report Form
- ☐ F208.2 – Workplace Violence and harassment Complaint Findings Report
- ☐ Workplace Violence Risk Assessment Survey

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**Subject: Active Shooter Emergency  
Response Policy**

**PURPOSE**

Joe Johnson Equipment LLC (the “**Company**”) is committed to the safety and health of its employees. We refuse to tolerate violence in the workplace and will make every effort to prevent workplace violence. This Policy is an extension of our Workplace Violence Policy and is designed as an emergency response plan in the event of an “**Active Shooter**” (defined below) occurrence.

**SCOPE**

This policy is applicable to all employees of the “Company”, its contractors, suppliers, customers and visitors.

**DEFINITIONS (for the purpose of this policy)**

The “Company” - Joe Johnson Equipment LLC, may be represented as “JJE”, “JJEI”, “Joe Johnson Equipment”, “the Business” or the “Company” at various times throughout this policy manual.

An “Employee” - Joe Johnson Equipment LLC may refer to an employee as “the employee”, “employees”, “staff”, “team members” or specified position within Joe Johnson Equipment at various times throughout this policy manual.

“Active Shooter” – is a person or persons actively engaged in killing or attempting to kill people in a confined space or other populated area.

**POLICY**

It is the Policy of the Company to provide an active shooter emergency response plan to: (a) alert employees and authorities that an active shooter appears to be actively engaged in killing or attempting to kill people on our premises; and (b) maximize employee survival.

In most cases, active shooters use firearm(s) and there is no pattern or method to their selection of victims. In some cases, an Active Shooter may use other weapons, including improvised explosive devices designed to kill or injure a large number of people and to impede police and other emergency responders. Improvised explosive devices may detonate immediately, have delayed fuses or detonate on contact. Active Shooter situations are unpredictable and evolve quickly. Active shooters usually will continue to move throughout a building or area until stopped by law enforcement, suicide, or other intervention. Typically, the deployment of law enforcement is required to stop the shooting and to prevent further harm to victims.

**ROLES AND RESPONSIBILITIES**

The following responsibilities apply:

**Company will:**

- Will establish emergency procedures and develop a policy to implement those procedures.
- Will ensure that all staff are trained in the emergency procedures of this policy
- Shall monitor the effectiveness of this policy and training material and implement recommended changes

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## PROCEDURE

### Active Shooter Situation

**A) Employee Response:** In an Active Shooter Situation using the following are **recommended actions in order** by the United States Department of Homeland Security:

1. **Run to Safety:** If there is an accessible escape path, attempt to evacuate the premises.
  - Have your escape plan and route in mind;
  - Leave all of your belongings behind;
  - If possible, help others escape;
  - Evacuate regardless of whether others agree to follow;
  - Warn or prevent others not to enter an area where the active shooter may be;
  - Do not attempt to move wounded people if it will endanger you;
  - Keep your hands visible;
  - Follow instructions of any police officers; and
  - **Call 911 (Section B below) and make radio/PA announcement when it is safe to do so.**
2. **Hide from Danger:** If safe evacuation is not possible, find a place to hide from the active shooter.

The hiding place should:

- Be out of the active shooter's view;
- Provide protection if shots are fired (e.g., an office with a closed and locked door)
- Not restrict options for movement.

To prevent the active shooter from entering a hiding place:

- Lock the door;
- Blockade the door with heavy furniture or equipment; and
- Close, cover, and move away from any windows.

While hiding, other actions to take include:

- Hide behind a large item;
- Silence your cell phone and pager; and
- Remain quiet.
- **Call 911 (Section B below) and make radio/ PA announcement when it is safe to do so.**

3. **Fight:** As an absolute last resort, and only if your life is in imminent danger, attempt to disrupt or incapacitate the active shooter.
  - Act as aggressively as possible;
  - Throw items or used improvised weapons;
  - Work together to incapacitate the shooter; and
  - Commit to your actions.

- B. Calling 911 & Making Radio/PA Announcement:** Only when safe to do so, as soon as possible, involved persons should notify law enforcement (**call 911**) and provide overhead announcement (radio or PA) of a

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## Security Alert, “Active Shooter Situation.”

Reports should include the following information:

- Location of the shooter(s);
- Number of shooter(s);
- Physical description of the shooter(s); and
- Number and type of weapons held by the shooter(s).

The call to 911 should also include a report of the number of potential victims at the location and any additional information requested by law enforcement.

When calling 911, remain calm. If you cannot speak, leave the phone line open to allow the dispatcher to listen.

**C. Law Enforcement.** The most Sr. Manager and/or Health & Safety Team Member will meet and guide law enforcement officers if possible, when safe to do so, and as appropriate. The goal of law enforcement is to locate, isolate, and neutralize the shooter as quickly as possible to prevent additional deaths or injuries. An “all clear” will be announced to employees by the most Sr. Manager only when the situation has been addressed and the scene is declared safe by law enforcement officials.

**D. Recovery.**

1. The health and wellbeing of our visitors and employees is critical. As soon as possible after law enforcement has relinquished Command and Control of the scene, the Company will develop information strategies to address, employee and family questions related to the event.
2. Initially, the site of a violent incident will be secured as a crime scene. After the authorities have completed their investigation and have released the crime scene, management will need to have the facility appropriately cleaned and sanitized.

## TRAINING

Management will facilitate the necessary training on this policy and its procedures to all employees. All employees who are expected to participate in this training.

The Company will provide on-going training:

- At regular intervals
- When there is a change in legislation
- When there has been an incident

## COMMUNICATION

The Company will:

- Provide consistent, coordinated, timely, and effective communications of this policy;

Any of the following method(s) may be used to communicate this policy:

- Company email
- Company memo
- Posting of policies and procedures
- Training
- Meetings and Safety talks

## EXHIBITS/FORMS:

<https://www.dhs.gov/video/options-consideration-active-shooter-preparedness-video>

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**Subject: Workplace Sexual Harassment**

**PURPOSE**

Joe Johnson Equipment LLC (the “Company”) is committed to maintaining a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This Policy is one component of the Company’s commitment to a discrimination- free work environment. Sexual harassment is against the law<sup>1</sup> and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Company. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

**SCOPE**

The Company’s policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the Company.

**DEFINITIONS (for the purpose of this policy)**

The “Company” - Joe Johnson Equipment LLC, may be represented as “JJE”, “JJEI”, “Joe Johnson Equipment”, “the Business” or the “Company” at various times throughout this policy manual.

An “Employee” - Joe Johnson Equipment LLC may refer to an employee as “the employee”, “employees”, “staff”, “team members” or specified position within Joe Johnson Equipment at various times throughout this policy manual.

Sexual Harassment is a form of sex discrimination. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

Employee: All employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the Company. For the purpose of this policy and procedure, the term “employees” refers to this collective group.

Non-Employee: A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected

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non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer

Complainant – The person who has made a complaint about another individual whom they believe committed an act of violence against them.

Harasser/Accused – The person whom another individual has accused of committing an act of violence, an act of harassment or sexual harassment.

## **POLICY**

1. The Company’s policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with the Company. In the remainder of this document, the term “employees” refers to this collective group.

2. Sexual harassment will not be tolerated. Any employee or individual covered

### **What Is “Sexual Harassment”?**

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful, and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

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Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

### **Examples of sexual harassment**

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
- Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee’s body or poking another employee’s body;
- Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target’s job performance evaluation, a promotion or their job benefits or detriments;
- Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person’s sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people’s ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual’s sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person’s workstation, tools or equipment, or otherwise interfering with the individual’s ability to perform the job;
  - Sabotaging an individual’s work;
  - Bullying, yelling, name-calling.

### **Who can be a target of sexual harassment?**

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the

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workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

**Where can sexual harassment occur?**

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours.

**Retaliation**

Unlawful retaliation can be any action that could discourage a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity.” Protected activity occurs when a person has:

- made a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been sexually harassed; or
- encouraged a fellow employee to report harassment.

Even if the alleged harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of harassment.

**Reporting Sexual Harassment**

**Preventing sexual harassment is everyone’s responsibility.** The Company cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern or non-employee who has been subjected to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager or a Company Human Resources representative. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager or Company Human Resources representative.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee’s behalf.

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Employees, paid or unpaid interns or non-employees who believe they have been a target of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

### **Supervisory Responsibilities**

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to a Company Human Resources representative. In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

### **Complaint and Investigation of Sexual Harassment**

All complaints or information about sexual harassment will be investigated, whether that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge of suspected sexual harassment will be prompt and thorough, commenced immediately and completed as soon as possible. The investigation will be kept confidential to the extent possible. All persons involved, including complainants, witnesses and alleged harassers will be accorded due process, as outlined below, to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. The Company will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, a Company Human Resources representative will conduct an immediate review of the allegations, and take any interim actions (e.g., instructing the respondent to refrain from communications with the complainant), as appropriate. If complaint is verbal, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the verbal reporting.
- If documents, emails or phone records are relevant to the investigation, take steps to obtain and preserve them.
- Request and review all relevant documents, including all electronic communications.
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo or email), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;

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- ☐ A summary of prior relevant incidents, reported or unreported; and
- ☐ The basis for the decision and final resolution of the complaint, together with any corrective action(s).
- Keep the written documentation and associated documents in a secure and confidential location.
- Promptly notify the individual who reported and the individual(s) about whom the complaint was made of the final determination and implement any corrective actions identified in the written document.
- Inform the individual who reported of the right to file a complaint or charge externally as outlined in the next section.

### **Legal Protections And External Remedies**

Sexual harassment is not only prohibited by the Company but is also prohibited by state, federal, and, where applicable, local law.

Aside from the internal process at the Company, employees may also choose to pursue legal remedies with the following governmental entities. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

### **State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees, regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year (three years beginning August 12, 2020) of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged sexual harassment. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to the Company does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need an attorney to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate your complaint and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying of monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call (718) 741-8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized

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and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

### **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within the jurisdiction of the EEOC.

An employee alleging discrimination at work can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1- 800-669-4000 (TTY: 1- 800-669-6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

### **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 22 Reade Street, 1st Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml).

### **Contact the Local Police Department**

If the harassment involves unwanted physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

### **COMMUNICATION**

This procedure will be posted on the Health and Safety Bulletin Board at each US branch location and will be located in the H&S Policy Manual.

Any of the following method(s) may be used to communicate this policy:

- Company email
- Company memo
- On-line posting
- Posting of policies and procedures
- Training
- Meetings and Safety talks

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**TRAINING**

The Company will ensure that all employees are trained in this policy and procedures, are educated on sexual harassment and that they are clear about their roles and responsibilities. In addition, a copy of this policy will be posted and made available to all employees.

Employees new to the Company will receive training of this policy and procedure during the New Hire Orientation, all other employees will receive training on an annual basis.

**EXHIBITS/FORMS**

F137.1 - Workplace Sexual Harassment Receipt of Acknowledgment Form

F137.2 – Workplace Sexual Harassment Complaint Form For Reporting Sexual Harassment

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**Subject: Equal Employment Opportunity**

**PURPOSE**

To advise every employee of the company's commitment to equal employment opportunity by providing employees with a safe and harassment-free workplace and to ensure all employees receive equal respect and treatment, regardless of personal differences.

**SCOPE**

This policy is applicable to all employees, applicants, vendors or customers of Joe Johnson Equipment LLC, and all persons working at/for the Company.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

Unlawful Discrimination - includes failure or refusal to hire an individual because of race, creed, color, sex, religion, national origin, age, military status, marital status, disability, sexual orientation, or genetic predisposition or carrier status. It also includes discharging, limiting, segregating or classifying employees or applicants in any way that would deprive them of employment opportunities or adversely affect their status as employees, based on their race, creed, color, sex, religion, national origin, age, military status, marital status, disability, sexual orientation, or genetic predisposition or carrier status.

Unlawful Harassment – can be verbal, visual or physical conduct which belittles or shows hostility or dislike to an individual because of his or her race, creed, color, sex, religion, national origin, age, military status, marital status, disability, sexual orientation, genetic predisposition or carrier status, domestic violence victim status, gender identity, or any other protected class recognized by applicable Federal, State, or local law or that of the employee's relatives, friends or associates which:

- Has a purpose or creating an intimidating, hostile or offensive work environment; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities

Unlawful Sexual Harassment – is a form of sex discrimination. Sexual harassment includes unwelcome conduct either which is of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions
- affecting an individual's employment.

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Retaliation – retaliation against an individual for exercising their rights under this Non-Discrimination Policy is strictly prohibited. This includes any retaliation for inquiring about rights under this policy, or reporting or complaining about possible violations, including providing truthful information about a possible violation. Such retaliation against the Company’s employees, customers, suppliers, vendors, temporary agency employees, contractors or those utilizing our facilities or services is prohibited and will not be tolerated.

Retaliation would include any kind of negative action against an employee for inquiring about their rights or the rights of other employees, or for making an honest complaint of a violation or possible violation of this policy.

Any form of retaliation against employees for exercising their rights under this policy is strictly prohibited and will be treated as a violation of this policy.

#### **POLICY**

In order to provide equal employment and advancement opportunities to all individuals, employment decisions by the Company will be based on merit, qualifications, and abilities. It is the policy of the Company to treat all employees and applicants for employment fairly and without regard to race, creed, color, sex, religion, national origin, age, military status, marital status, disability, sexual orientation, genetic predisposition or carrier status, domestic violence victim status, gender identity, or any other protected class recognized by applicable Federal, State, or local law. The Company prohibits all forms of unlawful discrimination. This applies to all employment practices including recruiting, hiring, pay rates, training and development, promotions, assignments, discipline and benefits.

As part of this policy, the Company also prohibits and form of unlawful harassment or other abusive conduct directed at employees, applicants, vendors or customers because of their race, creed, color, sex, religion, national origin, age, military status, marital status, disability, sexual orientation, genetic predisposition or carrier status, domestic violence victim status, gender identity, or any other protected class recognized by applicable Federal, State, or local law.

In addition, the Company has adopted a separate Sexual Harassment Policy prohibiting unlawful sexual harassment. Please refer to Policy & Procedure UP137 – Workplace Sexual Harassment

#### **Company Commitment**

The Company is committed to maintaining a work environment free of inappropriate, degrading or harassing conduct. Such conduct shall not be tolerated, and, if an investigation determines that such conduct has occurred, it shall promptly result in discipline up to and including termination. Any manager who is made aware of any such inappropriate conduct, and fails to take appropriate action pursuant to this policy, will also be subject to disciplinary action up to and including termination.

No manager or anyone else employed by the Company is authorized in any way or in any circumstances, to unlawfully harass or discriminate against employees, applicants, vendors or customers. Anyone who feels they have witnessed or been the victim of such conduct **MUST** notify the Company of the facts in accordance with this policy and the matter will be dealt with promptly and effectively. Complaints or inquiries may be made to the Human Resources Manager or the President of Joe Johnson Equipment LLC Inc.

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All reports will be promptly investigated and confidentiality will be maintained to the greatest extent possible. No employee will be subject to any adverse action as a result of making a good-faith complaint. Employees who make a bad-faith complaint may be subject to disciplinary action, up to and including termination. Any retaliation or harassment should be reported immediately.

## **PROCEDURE**

It is the responsibility of all Company employees to ensure that their conduct and work environment are maintained free of discrimination. Specifically, the Company has the responsibility to maintain a non-threatening environment, which includes discussing this policy with all employees to assure them that they are not required to endure insulting, degrading or exploitative treatment.

All employees, employment applicants and the Company's customers, suppliers, vendors, agency employees, contractors and those utilizing our facilities or services are encouraged to promptly report any conduct that they are subject to, or that they witness which may violate this policy.

### **Complaint Notification Process**

The individual who believes that they have been subject to harassment should provide a written report of the incident to Human Resources and a copy will be provided to the Sr. Vice President. The employee is also advised to maintain a record of the incidents leading up to and following the complaint.

Complaints or inquiries may be made confidentially to Human Resources or Sr. Vice President who have the responsibility for the enforcement of this policy. By placing two different individuals in charge of this policy, you can freely discuss your complaint or inquiry with one of them even if you may not feel comfortable doing so with the other.

Complaints and inquiries will be kept confidential to the greatest extent practical, consistent with the Company's need to conduct an adequate investigation. In all cases, the matter must be brought to the attention of the Sr. Vice President of the Company, because of the need for consistency and centralized decision making in the implementation and enforcement of this policy.

Any employee who is determined to have committed discrimination in violation of this policy will be subjected to appropriate measures including discipline up to and including termination. Similarly, appropriate action will be taken or suggested if a customer, vendor, supplier, agency, contractor or other person or entity with which the Company does business engages in conduct that violates this Policy.

### **Investigation Process**

The nature and details of the investigation process will vary depending on the details of the complaint. The Company's objective in every instance is to make a fair determination of what happened so it can then take corrective action, if warranted, as soon as possible. The steps that may be taken in the investigation include:

- Both the Complainant and the alleged Harasser will be interviewed, as well as any other individuals involved or witnessed.
- Where the violation has been affirmed, the Company will take appropriate consequential action and a final report will be completed by Human Resources and kept in a separate file within the department. Consequential actions includes but is not limited to: withholding a promotion, re-assignment, suspension, and/or termination. The results of such a violation will be documented accordingly in the Harasser's personnel file.

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- Where the violation has not been affirmed, no action will be taken against an employee who has made a complaint in good faith or the alleged harasser. The Company will not, in any way, retaliate against an individual who makes a genuine concerned report of suspected harassment. In this case, no documentation of the incident will be placed in the accused or the Complainant's file.
- Based on the investigation finding, those parties conducting the investigation shall discuss the results with the Complainant and the alleged Harasser.

#### **Confidentially**

Any allegation of harassment brought to Management's attention will be promptly investigated in a confidential manner to the extent possible to protect the privacy of the persons involved. During the investigation where other parties are involved, such individuals will be exposed to specific information in regards to the complaint. Such individuals will be reminded of their duty to keep all information/matter prior to, during and after the investigation under strict confidence. All reports regarding the harassment complaint will be kept in the Human Resources office, unless, legally requested or administrative proceedings arise out of the harassment report are required.

#### **Corrective Action**

Any employee who is determined to have committed discrimination, harassment or retaliation in violation of the policy will be subjected to appropriate measures including discipline up to and including termination. Similarly, appropriate action will be taken or suggested if a customer, vendor, supplier, agency, contractor or another person or entity with which the Company does business engages in conduct that violates this Policy.

#### **False Accusation**

In an investigation results in a finding that the complainant intentionally and falsely accused another of harassment knowingly or in a malicious manner, the complainant will be faced with any one of the following consequences: withholding of a promotion, re-assignment, disciplinary suspension and /or termination.

For Sexual Harassment, please refer to Policy & Procedure UP137, Workplace Sexual Harassment for relevant complaint notification and investigation processes.

#### **Conclusion**

The Company has developed this policy to ensure that all can work in an environment free from harassment. The Company will make every effort to ensure that all employees are familiar with the policy and know that any complaint received will be thoroughly investigated and appropriately resolved.

The Company encourages employees to file a complaint promptly to assist in ensuring an effective investigation and resolution. However, due to the sensitivity of these problems and because of the emotional toll, such misconduct may have on the individual; no time limit will be instituted for reporting a harassment complaint.

We also strongly encourage that you report any suspected harassment of any kind. That said, we will not pursue an investigation without first obtaining your consent to process. So please do not be afraid of bringing the matter up to the Human Resources department for fear that we may pursue the offender in a manner that could simply compound the problem or that will be embarrassing to you – we will work with you every step of the way, in strict confidence and in an informed manner.

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**Subject: Alcohol and  
Substance Use**

**PURPOSE**

To maintain a healthy and safe environment for all employees of Joe Johnson Equipment LLC.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Joe Johnson Equipment LLC maintains a workplace that is free from the effects of alcohol and substance abuse. This Alcohol and Substance Abuse Policy is designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by Company employees. Our employees deserve a workplace that is safe and free from the dangers of drug and alcohol induced behaviors.

**Zero tolerance:** A drug and alcohol free workplace is an essential component to a quality work environment. The Company has implemented a zero tolerance rule towards the use of alcohol and illegal substances during work hours and therefore, prohibits the use of illegal drugs, alcohol and/or any other substances during work hours.

**Definition**

For the purposes of this zero tolerance rule, an alcoholic beverage is any beverage that may be legally sold and consumed and has alcohol content.

- Substance is defined as any substance other than alcohol capable of altering an individual's mood, perception, pain level, or judgment.
  -
- A prescribed drug is any substance prescribed for individual consumption by a licensed medical practitioner.
- An illegal drug is any drug or controlled substance that is illegally sold or consumed.

**Requirements**

All employees are prohibited from being under the influence of alcohol or drugs (illegal or prescription), that may inhibit their co-ordination or reflex action during work hours.

Employees are prohibited from the illegal use, sale, dispensing, distribution, possession, or manufacture of illegal drugs, controlled substances, narcotics, or alcoholic beverages on Company premises or work sites. In addition, the Company prohibits off-premises abuse of alcohol and controlled substances, as well

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as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Company's reputation in the community.

No prescription drugs will be brought on company premises by any person other than the one for whom it is prescribed. Such drugs will be used only in the manner, combination, and quantity prescribed. Any employee whose off-duty abuse of alcohol, illegal or prescription drugs results in excessive absenteeism, tardiness, poor behavior, or is the cause of an accident is not acceptable and discipline will apply.

No alcoholic beverage will be brought or consumed on company premises or during working hours, except in connection with company-authorized events.

Any employee who commits an unlawful act on or off company premises, such as: the use or sale, possession, transfer, or purchase of illegal drugs on company property or while performing company business is strictly prohibited and will be reported to appropriate law enforcement officials. Additional prohibited conduct includes:

- ❑ Refusing to submit to a post-accident, random, reasonable suspicion or follow-up alcohol or controlled substances test.
- ❑ Reporting for duty or remaining on duty requiring the performance of safety-sensitive functions when the employee uses any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely perform their job.
- ❑ Reporting for duty, remaining on duty or performing a safety-sensitive function, if the employee tests positive for illegal substances.

While we do not wish to intrude into the private lives of our employees, we recognize that involvement with drugs or alcohol abuse off the job could affect job performance and can negatively affect the Company's credibility and reputation.

- ❑ If an employee has an off duty involvement with drugs which raises a question of the employee's fitness for duty, he or she will not be permitted to return to work or will be temporarily placed in a no-safety sensitive position until the situation is investigated.
- ❑ An employee who drives a vehicle in the course of their employment must report a suspension or revocation of driving privileges as a result of an alcohol related incident to Human Resources.

### **Employee Responsibility**

An employee, who knowingly allows anyone under their responsibility to violate this policy and allows anyone to work while under the influence of alcohol or drugs, or to work while otherwise unfit for duty, will be subject to disciplinary action.

Any employee who has knowledge of a violation of this policy must report that violation Human Resources. If an employee participates in any conduct and discredits the company in any way, they will be subject to disciplinary action.

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## **Inspections**

Employees, their possessions, containers under their control and Company-issued equipment are subject to search and surveillance at all times while on Company premises or work sites or while conducting Company business if there is a reasonable suspicion that there may be a violation of the Company's Alcohol and Substance Abuse Policy.

Any suspected or known illegal drug activity will be reported to the appropriate law enforcement agencies and cooperation will be given to them in the course of their investigations. Any confiscated drugs will be given to the proper law enforcement agency.

## **Prescription and over-the-counter Medication**

Any employee in a position affecting public safety (for example, employees who operate motor vehicles or heavy equipment) must report to management if they are using medications which may affect their ability to perform essential functions of their job and thereby result in a direct threat to public safety. Failure to do so will result in disciplinary action up to and including termination.

## **Testing**

As part of the Company's Alcohol and Substances Abuse Policy and to facilitate any investigation regarding unauthorized drug use or alcohol abuse, employees will be subject to drug and alcohol tests. In establishing and administering the drug and alcohol-testing program, the Company will make every effort to safeguard the privacy interests of its employees.

### Reasonable Suspicion Testing

Employees could be required to submit to a drug and alcohol test if their performance, behavior, or other evidence indicates that they may be unfit for duty and may be using illegal drugs or abusing alcohol. Examples of situations under which this type of test could be required due to reasonable suspicion include but are not limited to:

- ☐ Unusual or aberrant behavior
- ☐ Declining or erratic work performance
- ☐ Excessive absenteeism or tardiness
- ☐ Possession, sale, manufacture, distribution or use of drugs or alcohol during working hours
- ☐ Accidents or incidents in which safety precautions were violated or unusual careless acts were performed
- ☐ Following an investigation based on receipt of credible information regarding an employee's abuse of drugs or alcohol
- ☐ Off duty involvement with illegal drugs or abuse of alcohol as previously described
- ☐ Any employee who reports to work and based on the observation of at least two responsible individuals appears to be under the influence of alcohol or an unauthorized drug, will be asked to leave the premises. If necessary, a family member will be contacted to escort the employee home or a taxicab will be provided to ensure the safe transportation of the employee.
- ☐ Prior to the employee being escorted home, he or she will be directed to take an immediate alcohol and drug-screening test to determine if unauthorized drugs or alcohol were the cause of the problem, or if another medical problem may exist.

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### Post-Accident Testing

Any employee who is involved in an on-the-job accident may be directed to take a drug and alcohol-screening test before returning to work if, in the view of management, drugs and/or alcohol may have been a contributing factor. This policy applies to accidents whether or not injury or loss of property occurs. Drug and alcohol testing may be required when an employee's actions cause any accident, which results in personal injury requiring medical care or damage to property.

All surviving drivers will be tested for alcohol and illegal substances as soon as practicable following an on-the-job occurrence involving a motor vehicle operating on a public road. An employee subject to post-accident testing shall remain readily available for testing or will be deemed by the employer to have refused to submit to testing.

An employee who is required to participate in a drug or alcohol rehabilitation program will be scheduled for follow-up unannounced drug and alcohol tests after returning to work.

Employees may be required to take an unannounced drug and alcohol test if such a test is deemed necessary to assist management in the investigation of suspected illegal drug use within the Company.

### **Drug and Alcohol Testing Process**

Employees will be tested for the presence of drugs by collecting a urine specimen or through the use of other appropriate methods. The specimens are tested at a laboratory licensed by the State and certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) of the U.S. Department of Health and Human Services.

The test for alcohol involves the use of an evidentiary breath-testing instrument. If the test result is positive, the employee may request a blood sample be taken to confirm the presence of alcohol.

For a positive drug test or a test for alcohol involving a blood sample, a licensed physician designated as the Company's Medical Review Officer (MRO) will review the results of the laboratory test and applicable records. The MRO will provide the employee with an opportunity to discuss the findings prior to the confirmation of a positive drug or blood alcohol test and prior to notification of the result to any designated company employee.

To facilitate employee and public safety, the MRO may temporarily remove an employee from a safety sensitive position pending completion of the review.

All drug and alcohol test results will be maintained by management as part of an employee's medical record and will be treated with the strictest confidence. Information regarding test results will not be divulged without first advising the employee and such information will only be communicated on a need-to-know basis.

### **Management Action and Disciplinary Process**

#### Illegal Drug Involvement

Following an investigation by the Company, an employee who is determined to have been involved in the possession, sale, manufacture, distribution or use of illegal drugs during working hours, on company property or at a work site will be terminated.

#### Positive Test Result for Illegal Drugs

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An employee, who for the first time tests positive for an illegal drug, as confirmed by the MRO, will be suspended for up to five (5) days without pay and will be required to seek assistance or counseling.

The employee must have a return to work drug test with negative test results prior to returning to work.

The employee may be subject to unannounced drug testing for a minimum period of one year.

A second confirmed positive test for illegal drugs will result in immediate termination.

#### Positive Test Result for Alcohol

An alcohol test below .02 BAC will be considered a negative test; results above that limit will be considered positive.

If a confirmatory blood test is administered, any level of alcohol found in the blood will confirm the breath alcohol test as positive under the direction of the MRO.

The following actions will be taken for a positive alcohol test.

- ◆ All positive test results will be handled on a case-by-case basis. Therefore, at a minimum the following disciplinary actions apply:
  - First Occurrence – the employee will be suspended for five days without pay and will be required to seek assistance/counseling.
  - Second Occurrence – the employee will be immediately terminated.

#### Subverting the Drug Testing Process

If a specimen is identified as being a substitute specimen or adulterated to change the outcome of the drug test result, the test will be considered a refusal to test.

#### Drug and Alcohol Test Refusal

A refusal to provide for a drug and/or alcohol test, failure to appear for a scheduled test when notified, subverting the drug testing process, or any other behavior which compromises the integrity of the testing program or process will result in discipline up to and including termination.

#### Appeal Process:

An employee may appeal a confirmed positive drug test within 72 hours of being notified by the MRO. The appeal is a reanalysis of the employee's original urine specimen, which will be conducted by the original laboratory or by another certified laboratory. The employee will be responsible for the cost of this reanalysis.

The employee's request for reanalysis does not alter action associated with a confirmed positive test unless or until such test results are deemed to have been incorrect. The employee is responsible for requesting an appeal directly from the MRO.

#### Drug and Alcohol Rehabilitation:

As the purpose of the drug and alcohol-testing program is to promote health and safety, the Company encourages employees to get assistance in resolving any personal problems that may arise. An employee who voluntarily requests assistance in resolving a drug or alcohol abuse problem will be encouraged to participate in an assistance/counseling program.

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Participation in an assistance/counseling program does not relieve the employee from job expectation requirements.

Participation will not jeopardize the employee's job provided the employee stops all involvement with illegal drug and/or alcohol abuse and maintains satisfactory work performance.

After successful completion of the counseling program, the employee may be subject to an unannounced drug and alcohol-testing program.

A subsequent confirmed positive drug and/or alcohol test will result in further disciplinary actions, up to and including termination.

The employee will remain subject to disciplinary actions for previous violations of company policies.

The cost of the counseling/rehabilitation program will be the responsibility of the employee.

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**Subject: Security Inspections**

**PURPOSE**

To ensure every employee at Joe Johnson Equipment LLC is protected from any dangerous substances or weapons.

**SCOPE**

This policy is applicable to all employees and visitors at Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Joe Johnson Equipment LLC wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives, or other improper materials as defined by the company at its discretion. To this end, Joe Johnson Equipment LLC prohibits the possession, transfer, sale or use of such materials on its premises. Joe Johnson Equipment LLC requires the cooperation of all employees in administering this policy and maintaining a safe environment.

Desks, lockers, vehicles and other storage devices are provided for the convenience of the employee, but remain the sole property of Joe Johnson Equipment LLC and may be inspected at any time. As well, any articles found within them can be inspected by a representative of Joe Johnson Equipment LLC at any time, either with or without prior notice. Joe Johnson Equipment LLC also reserves the right to enter such property to obtain required information during a period of time when the staff member using the property is absent from work. No personal locking devices or codes may be placed on company property at any time, without company permission.

Joe Johnson Equipment LLC reserves full access rights to computer and other mechanical devices, files, email, voice mail, etc. as used by employees for business purposes. Where protective codes or locking devices are appropriate, the employee will provide their Manager with a key or password code in order to retrieve information and property required. For questions relating to personal property and information, please refer to Employee Privacy Policy for details.

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**PURPOSE**

To ensure that each employee and manager maintains an accurate account of hours worked and are compensated appropriately.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC Inc.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Accurately recording the hours worked is the responsibility of every employee and their manager. Joe Johnson Equipment LLC shall keep accurate records of the hours worked in order to calculate proper compensation. Time worked is all hours actually spent on the job performing assigned duties with Managements permission. Employees and Managers shall also accurately record the hours away from their regular shift for personal reasons.

All employees are given a half-hour **UNPAID** lunch. This time must be deducted from the time cards prior to submission for payroll. For example, an hourly employee who normally works 8:00 am to 4:30 pm, with a half hour off for lunch, would equal a standard 8 hour day.

Non-exempt employees are expected to take their full lunch break and are requested not to perform work during this time. An employee who works a shift of more than six hours, which extends over the noonday meal period (from 11:00 A.M. until 2:00 P.M.) is required to take at least 30 minutes off within that period for the noon meal.

Falsifying or tampering with any time records may result in disciplinary action.

**For Non-exempt Hourly Employees**

The Manager will verify by reviewing all hours indicated, and then sign the time record before submitting it for payroll processing. If corrections or modifications are made to the time record, the Manager must verify the accuracy of the changes by initialing the time record.

**Scheduled Hours**

Each employee will have a scheduled shift/hours that the individual is required to fill in order to meet the requirements of the position and the Company. From time to time, these hours may change temporarily or permanently depending on what is required. Such hours will be determined by the Manager and agreed

upon by the employee.

Hourly employees will receive regular compensation for hours worked only, and will not receive compensation for any missed time due to personal absence (some exceptions may apply). Salaried employee will receive their regular scheduled compensation when personal absence is due to personal illness not greater than 3 consecutive days. Please refer to the Attendance Management Policy in the event of an absence. In the event the policy is abused or excessively used to the employee's advantage, the company can request evidence at any time as it applies, and may lead to disciplinary action.

#### **OVERTIME**

**Non-exempt Hourly employees** are expected to work a minimum number of hours based on a standard workweek. A standard workweek varies for hourly employees and is based on their position and location within Joe Johnson Equipment LLC. Based on the statutory requirements, the maximum number of regular hours worked will vary. Any hours worked beyond 40 in a standard workweek will be paid at time and one half.

If an hourly paid employee is participating in an extracurricular activity on behalf of the company at the request of the company, (for example a Joe Johnson Equipment LLC hockey challenge, Open House or a remote training seminar), that employee will be paid for their regular shift, if applicable. The extracurricular activity, including travel time, also will not contribute to the employee's overtime calculation for that week.

**All Exempt Employees** are exempt from receiving overtime pay.

For further information, please speak with Human Resources.

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**PURPOSE**

This policy is intended to provide a guideline to employees on the acceptance of gifts and to ensure such acceptance is aligned with the Company's mission, vision and values.

**SCOPE**

This policy is applicable to all employees of the Company.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

A non-monetary gift shall be defined, but not limited to:

- A gift valued at \$75 or less, and
- Charitable donations on your behalf, or
- Event tickets, or
- Holiday/celebratory gifts, or
- Gift basket, or small tokens of appreciation

**POLICY**

The Company emphasizes the critical requirements for high business standards and ethical practices. To preserve the mission and ethical standards, the Company requires all employees, regardless of level, to conduct themselves in accordance with this policy and other values of business conduct established by the Company.

**ROLES AND RESPONSIBILITIES**

The following responsibilities apply to:

**The Company**

- Ensure all employees of the Company are familiar with the procedure regarding acceptance of gifts as outlined within this policy
- Implement appropriate corrective action including progressive discipline when this policy is not adhered to.

**Managers/Supervisors**

- Ensure all employees within their department adhere to the procedure regarding acceptance of gifts as outlined within this policy

**Employees**

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- Ensure you adhere to the procedure regarding acceptance of gifts as outlined within this policy

#### **PROCEDURE**

The following circumstances, while not inclusive, are situations that may lead to a perceived conflict or the perception of a conflict of interest. They are intended to provide a guideline on the sort of behavior that may constitute a conflict of interest as it relates to the giving or accepting of inappropriate gifts.

At no point shall an employee solicit or accept any gift where a conflict of interest is present or is potentially present. Such decision as to whether a 'conflict of interest' exists is at the sole discretion of the Company. A 'conflict of interest' would arise, for example, where an employee accepts / solicits a gift:

- From one of the Company's competitors
- From an entity that would mix private or personal financial interest(s) with the Company's
- Where an employee could potentially influence the duties and responsibilities of another employee at the Company
- That could be expected to influence the employee's treatment of clients, suppliers or customers
- That could be objectively construed as a bribe, pay-off, reduction in or redirection of funds that would otherwise flow to the Company, used as a favor, or inappropriate incentive.

Generally, employees shall not solicit or accept for personal benefit, directly or indirectly, any monetary gift of any kind. Exceptions shall include a charitable donation or a non-monetary gift which value does not exceed \$100.00. This does not include any normal hospitality exchanged which is occurring for business purposes only (an example is meals).

The acceptance of a gift where a conflict of interest is or has the potential to occur, the employee must disclose this information immediately to their reporting Manager or Human Resources. Failure to disclose such information may lead to termination.

In the event where a non-monetary gift has been received beyond the employee's knowledge until delivery, and where the gift exceeds the \$100.00 value, the employee is required to disclose such information immediately to their reporting Manager or Human Resources. Such individual(s) shall decide on the right course of action. Failure to disclose such information will result in progressive disciplinary action and may lead to termination of employment.

#### **EXHIBITS/FORMS**

- Reference: FS Employee Compliance Manual 2016

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**PURPOSE**

To encourage and ensure that all employees receive their vacation entitlement and to maintain a healthy work environment and an employees work-life balance.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI"," Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Each employee is entitled to vacation time with pay, within the guidelines outlined below, unless otherwise agreed. During the Introductory Period, employees will accrue vacation pay from the date of commencement of employment. However, no vacation time will be allowed within the first 3 months of employment and pro-rated in the first calendar year. Following the 1st year of employment, an employee will be entitled to the following vacation effective every January 1<sup>st</sup> of the calendar year:

Year Of Employment	Vacation Rate of gross earnings	Number of weeks
0.1-11.9 months	4%	Pro-rate
1-5.9 years	4%	2 weeks
6-10.9 years	6%	3 weeks
11 years - day of last employment	8%	4 weeks

**PROCEDURE****Requesting Vacation**

Employees shall complete an Absence Request Form and request the approval from their manager. Every effort will be made to accommodate vacation requests without adversely affecting business operations, however to ensure that there is appropriate coverage and that you get the requested time off, it is highly recommended that you request your vacation time as far in advance as possible.

Managers are responsible for communicating approved vacation to Human Resources by sending the approved Absence Request form to [hrsupport@jjei.com](mailto:hrsupport@jjei.com) as soon as possible.

Should two (2) employees request vacation for the same time period and both requests cannot be granted without adversely affecting business operations, the employee with the longest continuous

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length of service shall be given preference.

Every employee is strongly encouraged to take their entitled vacation time each year. Vacation credits cannot be carried over in the following year, except where accumulative vacation occurs in the first calendar year of hire. An employee shall receive vacation pay for vacation time taken, and will receive such pay for that pay period.

#### **Processing Vacation**

Approved vacation time must be recorded (number of days and hours) on the "Employee Time Card " to maintain accurate records for payroll and attendance tracking.

#### **Exceptions**

In recognition of business demands, those employees who have received more than 2 weeks entitlement, and after attempting to schedule vacation time were unable to take such time off, the employee will receive vacation pay for any vacation remaining beyond the 2 weeks of entitlement. Such remaining vacation entitlement shall be paid on the last pay period of the calendar year. Employees with a maximum of 2 weeks of vacation entitlement shall take such vacation and will not receive payment in lieu of time. Any exceptions to this policy must be reviewed by the Human Resources Manager prior to approval.

In the event where the employee requests more vacation time then entitled, the remainder will be considered a request for a Leave of Absence. Please refer to the Leave of Absence Policy. The company does not pay for any vacation pay or time off over and above the annual entitlement.

#### **Termination**

Upon termination of employment, employees will be paid for any unused vacation time that had been earned throughout the calendar year and will be included on the last pay.

In the event where a termination has occurred and the employee has taken more vacation time than earned through approval of their Manager, the unearned time will be deducted from the employee's final paycheck.

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**PURPOSE**

To recognize the holidays set forth by legislative bodies and provide employees with an annual schedule to assist in their work-life balance.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC

**DEFINITIONS (for the purpose of this policy)**

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**POLICY**

A General Holiday Schedule will be issued by the Human Resources Manager at the beginning of each calendar year to standardize the scheduled days to represent general public and paid holidays. Holiday pay will follow all statutory requirements and the annual General Holiday Schedule issued to all employees shall specify any variations.

Any staff member required to work on a statutory holiday will be paid time and a half for the actual hours worked on that day. Your department Manager must approve all hours worked on statutory holidays, as it applies to the Scheduled Hours and Overtime Policy.

To qualify for the holiday with pay, you must work your scheduled hours on the day before and the day after the determined general holiday, unless vacation time was taken and approved. If there is an absence due to illness, you must provide a doctor's note on the day you return back to work.

**PURPOSE**

This Policy allows employees to take paid and unpaid time off from work to grieve the death of a family member and to make arrangements for and attend a family member's funeral.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Employees are entitled to a leave of absence in the event of the death of a specified immediate and/or extended family member.

**Death of a Spouse and/or Child**

An employee who experiences the death of his/her Spouse or Child is entitled to a total of two (2) weeks (i.e., 10 work days) paid time off to grieve the death, attend the funeral or alternative to a funeral, and make arrangements necessitated by the death. For purposes of this Policy, the following definitions apply:

- a) "Spouse" – an employee's same- or opposite gender husband, wife, or benefit-eligible domestic partner.
- b) "Child" – an employee's biological or adopted son or daughter or an individual for whom the employee stands in loco parentis. No age limit applies to the definition of a Child for purposes of this Policy.

The ten (10) days of paid time off apply per each death of a Spouse or a Child, regardless of the date(s) on which the death(s) occur. If an employee experiences the loss of more than one Child in a 12-month period, the employee is entitled to at least a total of six (6) weeks (i.e., 30 days) leave during the 12-month period, with the number of paid days during that six (6) weeks dependent upon the number deceased. For example, in the event of the death of two (2) Children in a 12-month period, the first four (4) weeks (i.e., 20 days) of leave under these circumstances would be paid as set forth above, and the remaining two (2) weeks (i.e., 10 days) of leave would be unpaid.

**Death of Immediate Family Member (Non-Spouse, Non-Child)**

Employees are eligible for three (3) days of paid bereavement leave for the death of an Immediate Family Member. For purposes of this Policy, the definition of an "Immediate Family Member" excludes an employee's Spouse or Child but includes an employee's significant other, parent, step-parent,

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grandparent, grandchild, sibling, step-sibling, current Spouse's/ significant other's parent/ step-parent, brother-in-law, and sister-in-law. It also includes an employee's foster child, step-child, and legal ward.

The three (3) days of paid time off apply per each death of an Immediate Family member, regardless of the date(s) on which the death(s) occur.

For the death of an employee's foster child, step-child, or legal ward, an employee shall receive a total of ten (10) days leave, three (3) of which are paid as set forth above and the remaining seven (7) days are unpaid. If an employee experiences the loss of more than one step-child, foster child, or legal ward in a 12-month period, the employee is entitled to at least a total of six (6) weeks (i.e., 30 days) leave during the 12-month period, with the number of paid days during that six (6) weeks dependent upon the number deceased. For example, in the event of the death of two (2) step-children in a 12-month period, the first six (6) days of leave under these circumstances would be paid as set forth above, and the remaining twenty-four (24) days of leave would be unpaid.

#### **Death of an Extended Family Member**

When a death occurs to an Extended Family Member of a full-time employee who has completed his/her probationary period, the employee, upon request, will be excused on the day the funeral occurs without pay, provided the employee would have been scheduled to work on that day and provided he/she attends the funeral. This leave must be approved by the employee's Manager. For purposes of this Policy, the definition of "Extended Family Member" includes an employee's uncle, aunt, cousin, close friend, and work associate and current Spouse's/ significant other's grandparents.

#### **Considerations**

Employees are to provide at least forty-eight (48) hours' notice of their intention to take bereavement leave under this Policy, unless providing such notice is not reasonable or practicable.

The Company may require reasonable documentation for leave under this Policy. Documentation may include a death certificate, a published obituary, or written verification of death, burial, or memorial services from a mortuary, funeral home, burial society, crematorium, religious institution, or government agency.

An employee who abuses this Policy will be subject to disciplinary action, up to and including termination of employment.

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**Subject: Leaves of Absence**

**PURPOSE**

To accommodate JJE employees who require a leave of absence, and where the circumstances are beyond their control.

**SCOPE**

This policy is applicable to all New York resident employees of Joe Johnson Equipment LLC Inc.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

All employees must complete their introductory period prior to an approved leave. During any leave under this policy, an employee shall continue to participate in each type of benefit plan that is related to his/her employment, unless he/she elects in writing not to do so. Types of benefit plans are health care benefits, retirement plan provisions and vacation. During an employee's leave, Joe Johnson Equipment LLC will continue to make the employer's contributions for any plan described above unless the employee provides written notice that they do not intend to pay the employee's contributions for the benefits. The period of an employee's leave shall be calculated based on the length of the employee's service, the maximum entitlement based on legislative requirements and/or company policy.

Should a leave of absence be required, the employee shall request or notify their manager in writing and when feasible, complete the Leave of Absence Notification Form.

Upon return of such leave, Joe Johnson Equipment LLC will pay the employee at a rate that is equal to or greater than the rate that the employee most recently earned, or the rate that the employee would have earned had he or she worked throughout the leave.

**Leave of Absences**

The following leaves are recognized under federal and New York State Labor Law. Any changes to the laws relating to a leave of absence shall be recognized under this policy to reflect our legislative obligation to our employees:

**1) Military Leave of Absence**

Joe Johnson Equipment LLC Inc. recognizes that a leave of absence may be necessary for any employee to fulfill his/her military obligations to the uniformed services.

The following Military Leave of Absence Policy complies with the Uniformed Services Employment

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and Reemployment Rights Act of 1994 ("USERRA").

Where state or local leave statutes mandate greater leave benefits, the benefits required under such state or local laws will apply.

**Definition**

"Uniformed Services" means the performance of duty on a voluntary or involuntary basis in the (1) Army, Navy, Marine Corps., Air Force or Coast Guard; (2) Army Reserve, Naval Reserve, Marine Corps. Reserve, Air Force Reserve, or Coast Guard Reserve; (3) Army National Guard or Air National Guard; (4) Commissioned Corps of the Public Health Service; or (5) Any other category of persons designated by the President of the United States in time of war or national emergency.

Service may include active duty, active duty for training, initial active duty training, full-time National Guard duty, and examination to determine a persons' fitness for any type of duty.

**Eligibility**

All regular full and part-time employees who are members of the United States uniformed services, regardless of length of service with the Company are eligible.

**Notification**

An employee who anticipates taking a leave to fulfill military obligations should notify his/her Supervisor/Manager of the date on which leave is expected to begin and the length of the anticipated leave of absence. This notice should be provided at least 30 days in advance of the start of the leave, or if the need for leave was not foreseeable, as soon as possible prior to the start of the leave.

Prior to beginning the period of military leave, the employee should submit to the Human Resources Manager, a copy of the military orders, if available, directing the employee to report for training or to report for active duty.

If an employee is called to emergency duty, the military orders may be provided to the Human Resources Manager upon the employee's return to work.

It is not contemplated that a reservist or guardsman must request a leave of absence each time he or she leaves for a weekly or weekend drill. It is sufficient under such circumstances for the reservist or guardsman to inform his/her Manager of his/her schedule for fulfilling his/her obligation and request in writing a leave of absence for the scheduled periods of training or duty. This includes weekly or weekend drill, annual tour of duty, attending special courses of instruction, or school prescribed by

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the Armed Forces, as well as other types of duty. The employee should notify his/her Manager of any changes to this schedule.

**Length of Leave**

Under USERRA, an employee may take a (cumulative) maximum of five (5) years leave of absence for military duty. There are limited exceptions to this maximum limit that may extend the five-year limit.

**Reinstatement**

Requests for reinstatement must be made to the Human Resources Manager either orally or in writing.

Employees will be reinstated as described herein provided that he or she presents a certificate or release orders to confirm they have been discharged under honorable circumstances.

The amount of time a returning employee has to reapply for work depends on how long he or she was away on duty. Individuals who serve more than 180 days must reapply for work within 90 days of completing service. Those who serve between 31 and 180 days must reapply for work within 14 days of completing service. Persons serving 30 days or less must report to work on the first regularly scheduled shift following 8 hours of returning home.

An employee who serves 91 days or more will be reinstated to the position that he or she would have attained if continuously employed or a position of like seniority, status and pay, so long as he or she is qualified for the position or can become qualified after reasonable efforts. If the employee is not qualified for this position or cannot become qualified, the employee will be reinstated into the position he or she left.

If the employee cannot become qualified for either of these positions, the employee will be reinstated in any other position which he or she is qualified, possibly of lower status and pay, but with full seniority.

Returning employees will count their military service as part of their total seniority within the Company.

**Benefits**

An employee on military leave who has accrued but not used vacation time may elect to use that paid time off during the military leave, but may not be compelled to use this paid time off during military leave.

Employees on military leave are not eligible for holiday pay, jury/witness pay, or bereavement pay.

An employee on authorized military leave will continue in active status and will continue to be covered by the Medical and Dental in effect, for the calendar month the leave begins, plus one additional month. Thereafter, an employee may elect to continue to cover her/himself or herself and any dependents for a maximum of 24 months.

Group Insurance benefits shall be reinstated upon the employee's return from military leave provided that the employee requests that such benefits be reinstated within 30 days of his or her return to work.

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## **Non-Discrimination**

The Company makes it a policy not to discriminate in any way against employees who are members of the military.

### **2) Pregnancy Leave**

Pregnancy is considered a temporary disability within the meaning of the State Human Rights Law and as such entitles pregnant women to disability benefits for the period she is certified by her doctor as unable to work. It requires all covered employers to treat claims filed for pregnancy- related disabilities the same as claims for any other disability.

Specifically, benefits are payable for up to 26 weeks to eligible employees who are totally disabled and have submitted acceptable medical proof of disability.

For eligible employees, the leave of absence will be provided for up to 26 weeks. In the event of other medical conditions have occurred, the employee shall provide written certificate for their doctor confirming the employee inability to work and will not be able to return to work until the Manager or Human Resources Manager has received medical clearance from the doctor indicating that the employee is medically fit to return. A pregnant worker shall continue to receive health and medical coverage benefits and continue to accrue seniority for vacation entitlement purposes while on leave.

The employee is expected to fulfill their duties at Joe Johnson Equipment upon return.

### **3) Jury Duty**

Jury duty leave is provided to regular employees both full time and part time, who works at least 20 hours per week. Employees who are summoned to service during the regular work week as a jury member or as a witness for which the employee has been subpoenaed will receive their regular rate of pay for judicial hours away from work, less income received during the jury participation. In the event that the employee is the defendant or plaintiff, the employee shall not be paid their regular rate of pay, unless under the review of Management.

Once the employee has received documentation by the courts, the employee is to provide their immediate Manager with a copy. The Manager shall then provide Human Resources with a copy for the employee files to document the possible leave of absence. Human Resources will then advise the employee and Manager on the remaining steps.

The employee is expected to return to work where reasonable conditions exist for full or partial workdays that he or she is not engaged in court activity.

### **4) Other Leaves of Absence (Medical, Family and Personal)**

A personal leave of absence (PLOA) is an effective means to grant employees who are not eligible for Family Medical Leave with needed time off. Our service to customers is of the utmost importance and will be a factor when considering your request for a personal leave of absence.

## **Procedure:**

1. Application for personal leave absence (PLOA) should be made in writing on the request form provided in the Human Resources Department.
2. Time off in excess of all other types of leave requires a PLOA request.

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3. Authorized leaves for justifiable and verifiable reasons will require approval from the employee's Department Head and the Managing Partner.
  4. Medical Certification approval is needed for medically related requests for leave.
  5. The Human Resources Manager must be notified at least thirty (30) days prior to the requested leave. The thirty (30) day notice can be waived at the discretion of the President.
- Personal leaves of absence *without pay* may be granted for medical, family related and personal reasons.

**A) Medical Leave:**

This type of leave is for a period not to exceed 30 days. At the end of the 30 day leave period you may renew your request for another 30 days. The total leave time available to employees, including extensions, generally shall not exceed 6 months within a 12-month period (measured backward on a rolling basis). Once this leave has been exhausted, employment with the Company may be terminated.

An employee, who through written statement from his/her physician, expects to be off work in excess of five (5) working days, and is not eligible for family medical leave may be granted a medical leave of absence. Medical verification must include the beginning and ending dates of leave and the diagnosis or reason for leave. The statement accompanied with the application for leave must be presented to his or her Supervisor for approval. The Company may require a second medical opinion, at the Company's expense, before the leave is approved.

The approved period of leave will be determined by the ability of the employee to meet the job requirements. A medical opinion, at the Company's expense, may be required before an employee can return to work. Management has the right to determine that the returning employee is physically able to perform the work in a safe manner.

If you have not been medically released to return to work at the end of this leave, your employment may be terminated. If you have been medically released to return to work at the end of this leave, but choose not to return to work, your employment will be terminated.

**B) Family Leave**

An employee may be granted a personal leave of absence without pay for the following reasons:

1. The birth of a son or daughter of the employee and in order to care for such son or daughter; or
2. The placement of a son or daughter with the employee for adoption or foster care; or 3. In order to care for the spouse, son, daughter or parent of the employee if such spouse, son, daughter or parent has a serious health condition.

Any employee requesting a personal leave will be required to utilize all paid time off for which the employee is entitled prior to being placed on a personal family leave without pay.

Any employee requesting a leave described in #3 above must provide sufficient certification from a physician of the necessity of the leave. This type of leave is for a period not to exceed 30 days.

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Once this leave has been exhausted, employment with the Company may be terminated.

**C) Personal Leaves:**

Employees may be granted personal leaves of absence without pay for personal reasons. Consideration of a request for leave will be based on the applicant's length of service, overall work record and reason for leave. Each request will be evaluated on the basis of its own merits and not governed by the past or other leaves.

All leaves are subject to current work schedules and requirements and will be discussed with Management for feasibility.

Personal leaves without pay will generally not be granted if the employee has regular earned Paid Time Off available, as an extension to Paid Time Off, for visiting family or friends, **or to** pursue a company approved certification or licensing educational course.

Leaves are not granted for trying out new work, for self-employment ventures or for any reasons that can be handled in routine ways.

This type of leave is for a period not to exceed 30 days. At the end of the 30 day leave period you may renew your request for another 30 days. The total leave time available to employees, including extensions, generally shall not exceed 6 months within a 12-month period (measured backward on a rolling basis). Once this leave has been exhausted, employment with the Company may be terminated.

**PLOA Benefits**

During an approved PLOA, the Company will maintain your health benefits, as if you continued to be actively employed. Because a personal leave of absence is always unpaid, you must pay your portion of the health insurance premium (if applicable) in advance or by check during your leave. Your health care coverage will cease if your premium payment is more than 30 days late. If your payment is more than 15 days late, we will send you a letter to this effect. If we do not receive your co-payment within 15 days after the date of this letter, your coverage will end.

**PLOA Reinstatement**

Depending upon staffing needs and business requirements, the Company will make reasonable attempts to place an employee who returns from an authorized personal leave of absence without pay in the same or equivalent job. However, the Company does not guarantee that your position or any other position will be available when you return from a personal leave of absence.

**PLOA Termination**

If you do not return to work following the expiration of an approved personal leave of absence without pay, your employment may be terminated.

If you are requesting a leave that is covered by short-term disability or workers' compensation and your claim is denied and you do not return to work, your employment will be terminated.

If you work for another employer during any type of personal leave of absence without pay, your employment may be terminated.

All questions regarding the interpretation of this policy should be directed to the Human Resources Manager.

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**PURPOSE**

To provide clear expectations and a fair method of measuring performance for all employees. It is a method in identifying departmental and individual objectives and aligning each individual with the "Company's" (FST Canada Inc.) expectations and goals.

**SCOPE**

This policy is applicable to all employees of the Company.

**POLICY**

The Employee Performance Management System has been established to help align Managers and Employees efforts towards a common goal. All employees are evaluated on the same main competencies to ensure each and every employee is rewarded and evaluated fairly.

All employees are given a maximum of three (3) goals to achieve throughout the review year. Each goal has a method to measure the level of accomplishments and the date for the goal to be accomplished. Managers will work with each employee to provide feedback, coaching and opportunity to identify areas of improvement, areas of strength, and areas for assistance and career growth.

**The Five Point Scale** is applied to all competencies and goals being reviewed and is based on clear expectations defined by the company, their Manager, and the position. The sum, average, and rating scale will provide the employee with an overall performance score based on goal accomplishments and successful level of competency throughout the designated time period.

**A Multi-Rater** may be used at the Manager's discretion. Multi-Raters are completely confidential and will only be used as an aid for Managers to evaluate their employees. Although comments and evaluations maybe disclosed, all names and information that could be linked to an individual will be removed by the Manager prior to the employees viewing.  
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**DEFINITIONS**

**The "Company"** – FST Canada Inc.

**PROCEDURE**

**Manager's Preparation**

- Get your facts: notes, past review, accomplishments and struggles throughout the year
- Issue Multi-raters to designated individuals
- Begin to evaluate the employee and prepare preliminary objectives
- Make notes/comments for each area evaluated
- Be honest and be aware of any common errors
- Keep in mind any personal considerations and/or organizational changes that may

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- affect their performance results
- Arrange for a meeting with the employee, in a private environment
- Consult with Human Resources on next steps

#### **Conducting the Review: Manager**

- Follow through on the specified meeting time
- Invite the employee to participate throughout the review
- Begin by providing a general overview on their performance
- Take your time and discuss each area/section evaluated and provide examples
- Develop objectives together. Ensure you are both satisfied with the end result and timelines
- Discuss his/her own career aspiration
- Request for the employee to complete comments section if desired
- Provide HR with a copy of the SIGNED review

#### **Manager's Follow-up**

- Review and discussion the employee's comments
- Follow-up on the objectives and provide support when needed
- Continually monitor the employees progress and provide feedback
- Provide coaching and leadership to the employee to ensure they are meeting your expectations.
- Give constructive criticism and recognition when deserved

#### **Employee's Participation**

- To participate throughout the review and provide comments
- Contribute to the development of the objectives
- Participate in other evaluations through Multi-raters
- Follow up with the Manager during and completion of objectives
- Discussion around career ambition and desired learning opportunities
- An employee may ask to complete self-evaluation prior to meeting

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**Subject: Employee Recognition Program**

**PURPOSE**

To recognize an employee's accomplishments and contribution to the overall objectives and effectiveness of Joe Johnson Equipment LLC.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC Inc.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Recognizing an employee for their accomplishments is a motivating factor that increases job satisfaction and encourages effective performance.

Our employees are the best source of innovations, process improvements to increase productivity and efficiency, and continually improvements on our internal and external services. The Employee Recognition Program is to recognize and reward our best resources, and encourage a highly effective team.

**Approaches to Recognition**

There are two (2) approaches to employee recognition: formal and informal recognition. Either approach may be used to recognize individual(s) or team(s) who have made significant contributions towards Joe Johnson Equipment LLCs' goals, prioritizes and success.

**Informal Recognition**

The informal approach provides recognition at any time by the employee's Manager and may include on-the-spot recognition for productive teamwork, project completion, new or modified work practices, or general positive employee behavior.

**Formal Recognition**

The formal approach provides planned recognition to an employee or team for exceptional performance and/or accomplishments.

This may include a formal Thank-You letter or card, Annual Awards, Non-Monetary and Monetary gifts.

### **Types of Recognition**

The following are annual and periodical recognition initiatives applicable to all employees in their designation.

#### **Joe Johnson Senior, Integrity Award**

The Joe Sr. Integrity Award is a distinctive award designed to commemorate and pay tribute to the founder of the company; Joe Johnson Sr. This award also recognizes a JJE staff member who possesses many of the same qualities and attributes which Joe Sr. exemplified. Such qualities include: charisma, honesty, vision, integrity, tenacity, strength of character, and a continued dedication to excellence in all aspects of their career.

#### **Manager of the Year Award**

The Manager of the Year recognizes a JJE staff member in a management for who continues to be dedicated to the principles of Joe Johnson Equipment and demonstrates strong managerial leadership in process improvements, employee career development and is has a reputation of strong impartial and ethical standards in dealing with internal and external customers.,

#### **Parts Department: Employee of the Year**

This award recognizes a member of the Parts department who demonstrates leadership in promoting Joe Johnson Equipment to associated, Customers and Suppliers. The employee continues to practice JJE ethical standards, has made positive contributions to the improvement of parts sales and/or processes, and strives for continual personal and team success.

#### **Administration Department: Employee of the Year**

This award recognizes a member of the Administration department who also demonstrates leadership in promoting Joe Johnson Equipment to associated, Customers and Suppliers. The employee continues to practice JJE ethical standards, has made positive contributions to the improvement or processes and communication, and strives for continual personal and team successes.

#### **Service Department: Employee of the Year**

This award recognizes a member of the Service department who demonstrates leadership in promoting Joe Johnson Equipment to associated, Customers and Suppliers.

The employee continues to practice JJE ethical standards, has made positive contributions to the improvement of quality customer service work and efficiencies, and strives for continual personal and team success.

#### **Sales Department: Employee of the Year**

This award recognizes a member of the Sales department who demonstrates leadership in promoting Joe Johnson Equipment to associated, Customers and Suppliers. The employee continues to practice JJE ethical standards, has made positive impacts to the sales process, seeks new opportunities, and strives for continual personal and team success.

### **Birthday Recognition**

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The President, Joe Johnson Jr. recognizes each employee during the birthday every calendar year, to personalize and demonstrate Joe Johnson Equipment's appreciation for all of the employee's efforts and dedication to the company.

All recognition awards will be documented, reported, and processed accordingly by the Human Resources Manager.

Should you have any questions in regards to the awards and recognition program, please see the Human Resources Manager.

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**Subject: Employee Development**

**PURPOSE**

To invest and assist Joe Johnson Equipment LLC employees in their career development and training. This policy has established guidelines for the training and tuition reimbursement as they related to Joe Johnson Equipment LLC.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Joe Johnson Equipment LLC is committed to creating and fostering an environment that facilitates and enhances the skills training and career development of its employees. Employees will be provided with opportunities to maintain and develop their skills, adapt to a changing work environment, and fulfill their employment potential within Joe Johnson Equipment LLC.

Employee's continued career development is a fundamental means for Joe Johnson Equipment LLC to achieve its organizational goals and objectives. Career development is a broad, ongoing and multifaceted set of activities to increase an employee's and organization's level of performance.

Training is a systematic process for developing the knowledge, skills, and behaviors required to successfully perform an employee's role, while providing each employee with an opportunity to learn and expand on their skills and competencies.

**Requirements**

An employee's career development and training shall be based on the skills, knowledge, and competencies which are:

- Necessary for the employee to carry out their duties efficiently and effectively,
- Necessary for the employee to achieve their performance objectives as set out by their Manager,
- Required for the employee to keep up-to-date on new legislation, new technology, changing standards, practices and policies,
- Required to enable the employee to continue to improve their job performance,
- Helpful to prepare the employee for future roles and responsibilities within Joe Johnson Equipment LLCs realm.

**Identifying and Determining Areas for Development**

Induction/New hire training ensures new employees are provided with the necessary information and awareness of Joe Johnson Equipment LLC's operations to enable the new employee to settle into their

new role quickly. During the first three months where an employee begins a new position, the Manager will assist and observe the employees performance, competencies and skill set as it relates to the position.

For all employees, an emphasis will be given to determine the personal development and training that relates to continual improvements in quality, performance of service provided, and/or the achievements of business and positional objectives.

The following criteria will be review to assist in identifying training and career development needs:

- Required to meet all legislative obligations
- Essential skills required to maintain procedural and company standards
- Assist in the prevention of inefficiencies or waste
- Enable the employee to meet their responsibilities in completing their professional development requirements
- Career development pursuit aligned with company objectives which relates to a position held at Joe Johnson Equipment LLC

### **Responsibilities**

**Reporting Managers** will create and foster an environment that facilitates and enhances the skills training and career development of their staff members by:

- a) Initiating the discussion and implementation of the staff member's development during the annual Employee Performance Management Review.
- b) Providing the employee with internal resources to ensure their staff members skill level and job knowledge are strong and well-suited for the position and will meet the expectation of Joe Johnson Equipment LLC

**Senior Management** will create and foster an environment that facilitates and enhances the skills training and development of staff through:

- a) Annual consultation with their management group on the clear and realistic expectations and objectives for the department
- b) The identification of staffing levels and development needs to successful facilitate the agreed upon objectives
- c) The assessment and implementation of training needs during the annual Employee Performance Management Reviews, with special consideration on the development of Managerial skills.

**All Staff Members** will take the primary responsibility for managing their own careers by:

- a) Examining their current skills and identifying areas for further development
- b) Continually seeking opportunities for on-going skills enhancement and job knowledge
- c) Attending all training provided by the company as required
- d) Contributing to departmental/branch annual goals and objectives
- e) Sourcing professional development courses and requirements, as it applies.

**Human Resources** will provide support to Senior Managers, immediate Managers, and all other staff members to help carry out their career development responsibilities by:

- a) Sourcing all applicable external and internal training and development sessions, seminars and continual educational courses
- b) Consulting and assisting Management in training needs assessment and implementation of the career development process.
- c) Obtaining appropriate approvals from Senior Management

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- d) Posting of job vacancies as it relates to career opportunities for staff. Please refer to the Recruitment and Selection Policy
- e) Provide guidance to staff as required.

#### **ESG UNIVERSITY:**

ESG University has been organized by Federal Signal. This is a virtual campus where students, instructors, subject matter experts, and training managers can share knowledge, develop and manage online instruction, collaborate, and assess progress on knowledge transfer relating to their products.

Joe Johnson Equipment has enrolled all staff members into the ESG University to assist in the training and the knowledge development specific to the product lines manufactured by Federal Signal. There are specific courses targeted for mechanics, sales, and parts staff, as well as, general product knowledge courses for all employees. All training is conducted on-line. Should you require further information relating to the ESG University or wish to obtain a user name and password to access the course, please contact Human Resources.

#### **Tuition Reimbursement Program**

The tuition reimbursement program provides eligible employees with the opportunity to obtain, maintain, or improve their professional capabilities through participating in courses of study at accredited colleges, universities, and academic facilities specializing in education and career related training.

#### **Eligibility:**

- 1) Tuition Reimbursement is available to full-time employees who have been continuously employed by Joe Johnson Equipment LLC Inc. for at least six (6) months,
- 2) Educational pursuit is either directly related to the employees current position, or future position within Joe Johnson Equipment LLC Inc. , or is aligned with company goals and objectives,
- 3) The employee has completed the "Tuition Reimbursement Request Form" (Appendix 124- A) and has obtained the required approvals, and
- 4) Successfully completed all requirements of the course (final marks are required).

#### **Types of Tuition Reimbursement:**

##### Academic Courses for Career Development

Undergraduate and graduate level academic courses taken as part of a career development program that will provide an employee with the skills, knowledge, and competencies which can be applied to and/or support specific career development plans.

##### Professional Certificate

Programs, courses and/or testing which will leading to the employee's professional certificate which is directly related to the employee's field and professional designation, and should provide the participating employee with the skills, knowledge and competencies applicable to their current position. This includes the apprenticeship pursuit to skilled trade licensing.

##### Graduate Programs

Job-related graduate level academic programs, up to and including those leading to a Master's degree, must provide an employee with skills, knowledge, and competencies that are specifically applicable to his or her current field.

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**PROCEDURE**

An employee who wishes to pursue and/or complete academic development will be required to complete the "Tuition Reimbursement Request Form" and attach a copy of the course and the costs associated with the request. Please contact the Human Resources Manager for details. The submission of the request must be signed off by your Manager and then submitted to Human Resources.

Human Resources will determine eligibility for reimbursement and provide Senior Management with a recommendation. Determination of eligibility is listed above.

For any Tuition Reimbursement to be granted, Senior Management must approve the request. Senior Manager will determine the level of reimbursement dependent on the level of education.

Upon approval, the Employee is required to register themselves for the course, testing, or program. Upon completion, the employee is required to submit a copy of the final grade, and a copy of the receipts for payment of tuition and eligible fees, depending on the approved reimbursement level.

**Professional Membership Association**

The professional association membership fees relating to their current field to assist the employee in maintaining or obtaining their professional designation. Such membership fees will be approved by their Manager and Senior Management. Upon approval, the employee may register and submit such fees through the Internal Expense procedure.

The Employee is required to provide Human Resources with a copy of the enrollment (annual or otherwise), for their personal file.

**Non-Reimbursable Costs**

Items that are not eligible for reimbursement include, but not limited to, student union fees, overtime, recreational and meal costs, travel or parking costs, assistance or tutoring fees, late fee penalties, transcript fees, alumni fees, entrance exams, research or studying cost, or any other costs not directly associated with the applicable course or program.

**Work Schedule Limitations**

Participation in the Tuition Reimbursement Program should not interfere with the employee's ability to perform their regular duties.

Special exceptions will be determined by Senior Management when an employee's educational program requires an absence from their duties during normal hours, the employee and manager must agree on such a schedule in advance and make necessary arrangements to ensure that expectations are met. Special consideration will be made for an employee who is pursuing an Executive Management Program, Master's or doctoral degree.

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**PURPOSE**

To provide all employees with an opportunity for internal career advancement, while selecting the best qualified candidate for vacant positions within Joe Johnson Equipment LLC Inc.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC Inc. and those participating in the recruitment and selection process.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

The selection of a successful candidate for any position within Joe Johnson Equipment LLC will possess a combination of education, work experience, attitude, and creativity that will increase the quality, quantity, and stability of the workforce, while encouraging overall professionalism, internal growth and best practices.

Recruitment activities will include the solicitation and posting of position(s) internally and externally to attract a diverse applicant pool and provide equal opportunity for those meeting the required qualifications.

**PROCEDURE**

**Step 1: Business needs have been evaluated and a vacancy is identified**

Once a vacancy has been identified, the department Manager should contact Human Resources to begin the recruitment process by determining the requirements of the role, obtaining appropriate approvals and developing a recruitment plan

**Step 2: Develop Position Description**

To develop the job description the hiring manager should identify the duties and responsibilities by determining the following:

1. General Information
2. Position Purpose
3. Essential Functions
4. Minimum Requirements
5. Preferred Qualifications

### Step 3: Hiring Requisition:

- ☐ The requisition is created by the Human Resources Department and will obtain appropriate approvals. All hires require next level approval (the hiring managers, manager) as well as the Presidents approval.

### Step 4: Develop Recruitment Plan

Once the hire has been approved, the Human Resources Department along with the hiring Manager will create a recruitment plan. The recruitment plan should consider the following:

- A. Posting Period
- B. Posting Resources (boards, ads, social media outlets, internal and/or external)
- C. Target markets – soft search
- D. 3<sup>rd</sup> party Recruitment Resources

For the majority of postings, Human Resources will post position internally.

Human Resources will contact all internal candidates for an interview. Decisions pertaining to internal applicants are to be based on the skill set required for the position and the length of service in their current role. Employees must have at least six (6) months of service before they are eligible to apply for an internal position, however depending on business, exceptions may apply.

In cases where an employee is promoted or transferred within Joe Johnson Equipment LLC Inc., and where an employee, in the sole judgment of management, is not successful in the new position, can be removed from the position at any time. The employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and Joe Johnson Equipment LLC's needs.

### Step 5: Reviewing Applications/Resumes/Screening

- ☐ Human Resources shall review all resumes and/or applications based on position requirements, candidates experience and skill set and in conformance with governing legislative bodies.
- ☐ A member of the Human Resources team will be responsible for the initial contact of selected potential candidates
- ☐ Human Resources will conduct a pre-screen interview to assess and confirm potential candidates skill set and fit for position. Standard set of questions have been developed to determine the applicant's qualifications and ability to perform the essential duties of the position. JJE shall follow all legislative requirements to ensure equality and fairness to all applicants in all situations.
- ☐ Candidates selected for second round interviews will be sent to the hiring Manager for review.
- ☐ Human Resources will arrange interviews with the selected candidates and the hiring Manager. When not practical, the hiring Manager will reach out to the candidate to make the interview arrangements directly.
- ☐ Should testing be required, Human Resources will be responsible for conducting any required testing. Depending on the position, an additional interview may be required.

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## 6. Conditions of Employment

### Driver's License

For those who may be driving company vehicles, JJE will request a copy of your driver's license for insurance purposes.

### Social Security Number

This is to ensure that the applicant is legally able to work every employee/candidate must complete the Verification Form I-9 and presents the documentation proving their eligibility of employment. Joe Johnson Equipment is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

### Qualification Certificates

Proof of certificates or qualifications maybe asked where it is a requirement to perform the position. For example: Professional designations, skilled trade license certificates.

### Background Check

To ensure that individuals who join JJE are well qualified and have a strong potential to be productive and successful, it is the policy of JJE to check the employment and personal references of all applicants. Once the best candidate(s) have been identified, Human Resources shall contact at least two (2) references provided by the candidate, prior to any offer letter. Should reference results be less favorable, Human Resources will meet with the Management group for discussion.

For all positions, that are responsible for handling financial information, personal and confidential information, and/or may be in contact with high cost products, will be required to undergo a criminal background check, upon the candidates consent to release this information. Only information obtained from the candidate's consent that could cause serious harm to current or future employees, or where criminal offenses have been identified and convicted without a pardon will not be considered. Joe Johnson Equipment LLC Inc. will follow all legislative requirements as it relates to individual privacy and human rights.

Any costs associated with references or criminal records checks will be covered by Joe Johnson Equipment LLC and consent will be obtained prior to Joe Johnson Equipment LLC's Representative pursuing any background checks. All information obtained will remain strictly confidential and only applicable information will be shared between the Human Resources Manager, direct Senior Manager and the Reporting Manager in order to select the best candidate.

### Clauses

For defined positions, candidates will be required to agree to such clauses including non-solicitation, and/or confidentiality as a condition of employment as per offer letter.

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**Final Decision and Offer of Employment**

Defined by the outcome of the background checks, the Managers will collectively decide on the best candidate . Human Resources will work with the Manager to determine the details of an offer. Human Resources will generate the offer letter based on the determined details and legislative requirements. Either the hiring Manager or Human Resources will then present the offer to the selected candidate. If accepted the new employee must sign the offer and accompanying confidentiality agreement. The signed documents must be returned to Human Resources prior to selected candidate employment startdate.

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<b>JOE JOHNSON EQUIPMENT LLC</b> <i>A subsidiary of Federal Signal Corporation</i>	<b>Policy &amp; Procedure: USP125</b>  <b>Subject: Payroll – New York</b>
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#### **PURPOSE**

To ensure precise compensation payments and accurate maintenance of all Joe Johnson Equipment LLC Inc. employee's payroll and personal records based on company policies, procedures and legislative requirements.

#### **SCOPE**

This policy is applicable to all US employees of Joe Johnson Equipment LLC Inc.

#### **DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI," Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

#### **POLICY**

The pay week runs from Sunday to Saturday. Payroll is to be paid out into the employee's bank account by the payroll service at some point on the Thursday after the pay-period has ended. When payroll is to be paid out the week of a statutory holiday, the timing of payroll payment and pay-stub handout may be delayed by one day.

Pay-stubs are handed out or shipped out on the Thursday of that pay week. If a regular payday falls during an employee's vacation, the employee's pay stub will be available upon his or her return from vacation, unless other arrangements have been made with the employee's Manager.

#### **Salary Based Pay**

The Fair Labor Standards Act (FLSA) is a federal law which requires that most employees in the United States be paid at least the federal minimum wage for all hours worked, and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 hours in a workweek. However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees.

#### **Salary Based Requirements**

Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis.

The predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to exceptions listed below, an exempt employee must receive the full salary for any workweek in which the employee performs any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work. If the employer makes deductions from an employee's predetermined salary, i.e., because of the operating

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requirements of the business, that employee is not paid on a “salary basis.” If the employee is ready, willing and able to work, deductions may not be made for time when work is not available.

### **Pay Corrections**

Joe Johnson Equipment LLC Inc. takes all reasonable steps to ensure that employees receive the correct amount to pay for each pay period. In the unlikely event that there is an error in the amount paid, the employee should promptly bring the discrepancy to the attention of their Manager or the Payroll Coordinator to ensure corrections are made as quickly as possible. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

### **Pay Deductions**

Various legislative bodies require that JJE make certain deductions from every employee’s compensation. Joe Johnson Equipment LLC may also offer programs and benefits beyond those required by law. Such eligible employees may voluntarily authorize deductions from their pay to cover the costs of participation in these programs. Among these are applicable federal, state and local income taxes. JJE must also deduct Social Security taxes on each employee’s earnings up to a specified limit that is called the Social Security “wage base.” Joe Johnson Equipment matches the amount of Social Security taxes paid by each employee.

Pay offsets are pay deductions taken by Joe Johnson Equipment LLC, usually to help pay off debt or obligation to JJE or others. JJE must follow court orders or garnishee requests, regardless of the employee’s agreement. Employees can expect strict confidentiality in any matters pertaining to deductions or setoffs from paychecks. If the employee has questions concerning why deductions or setoffs were made from their pay, or how they were calculated, they are to contact the Payroll Coordinator.

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions.

Also, an employer is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

### **No Employee Loans**

Joe Johnson Equipment LLC shall not provide personal loans to employees. Any personal loan requests shall be directed to the Human Resources Manager, and is at the discretion of Joe Johnson Jr., ONLY.

### **Taxable Benefit**

Taxable benefits are not dollars paid to employees but rather values attributed to the employees for dollars paid on their behalf by the employer. Such taxable benefits applicable to Joe Johnson Equipment LLC employees are:

#### Automotive

Those employees who are provided with a Joe Johnson Equipment LLC vehicle (owned or leased), are subject to taxable benefit costs when the company vehicle is used for personal transportation.

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#### Tracking Business and Personal Travel

Personal transportation refers to any driving for purposes other than business, which includes traveling between home and regular work location. However, when an employee travels directly from home to a location which is not the employee's regular place of business or vice versa, it is not considered personal transportation and is considered business travel.

The taxable benefit that results from an employee's personal use of a company vehicle is a part of the employee's compensation and must be reported on the year end reporting forms, namely, W2.

As required, all employees, who are provided with a company vehicle, are responsible for tracking all personal and total kilometers used throughout each calendar year. All kilometers must be recorded by the Driver on the Kilometers Log Sheet daily. All kilometers are to be reported to the Payroll Coordinator on a timely basis. Please refer to the Company Vehicle Policy for further details.

#### **Termination/Leave/Layoff**

Should the Employee stop working with Joe Johnson Equipment LLC for reasons of a leave of absence, temporary layoff, permanent layoff or termination, the employee shall receive their final pay, vacation pay remaining, and a Record of Employment following or included in the employee's last pay period.

#### **W2's**

By legislative requirements, Joe Johnson Equipment LLC Inc. will send out all W2's to all employees not later than January 31<sup>st</sup> of each calendar year.

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**PURPOSE:** The Travel and Expense policy provides employees with a guideline for business travel and related expenses.

**SCOPE:** This policy is applicable to all employees of Joe Johnson Equipment (“the company”) who conduct business travel and entertain clients.

**POLICY:** The Travel and Expense policy is designed to act as a guideline for business travel and entertainment expenses. The primary approach when travelling or entertaining clients is to spend prudently. Limits outlined in this policy are intended to be the upper limits for most circumstances, not an expected spend amount. Amounts in excess of the limits should be only for exceptional situations such as expensive destinations (major cities), should be reviewed with Manager prior to the expense being incurred and the reason for the excess coverage should be explained in the expense report submission. The company reserves the right to decline expenses that are not in alignment with the guidelines and/or are deemed unreasonable. Employees may be subject to payroll deduction in this situation to reimburse the company for the expense.

**RESPONSIBILITIES:**

**The Company** will provide a company credit card to employees who frequently travel or incur expenses as part of their role with the company. Any employees who incur more than \$1000.00 USD per year of expenses must use a company credit card, and adhere to the monthly expense claim submission process through Concur. Exceptions to allow use of a personal card for business expenses, versus company card, require written approval from the CFO. In the event that the company credit card cannot be used, the company shall reimburse its employees through Concur once applicable receipts and Manager approval is submitted.

**The Employee** is responsible for ensuring that claims for reimbursement or payment are submitted through Concur on a monthly basis, and that all expenditures are supported by required detailed receipts.

For Business Meals/ Entertainment/ Customer Relations, the following additional information is required before reimbursement will occur:

- Names of all individuals present, employee and non-employee
- Name and business purpose of meal or event
- Itemized, detailed receipt showing menu items, taxes and tips

A Missing Receipt Affidavit can be completed and used in rare circumstances. Receipts are not required for personal car mileage. Missing receipts or lack of detailed receipts

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may result in a payroll deduction (if on company credit card) or non-reimbursement (if on a personal credit card). Failure to submit expenses on a monthly basis may result in company credit card being revoked.

**Authorized Approvers** are Managers who are responsible to ensure all expenses were incurred for reasonable business related expenses, applicable receipts are included with each expense, and ensure employee adherence to the guidelines set out in this policy. Department Managers may have guidelines that are more stringent than outlined in this policy, and will communicate those to their department in advance of travel occurring.

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## TRAVEL EXPENSE GUIDELINES

Category	Limits (CDN \$, Tax Additional)	Additional Guidance
Air Fare	<p>Generally, choose the lowest-fare route that reasonably meets travel requirements. Manager and below level employees must obtain pre-approval from their Manager before a flight is booked.</p> <p>Economy-plus fares are permitted only for flights that exceed 6 hours straight.</p> <p>Reservations should be made at least 2 weeks in advance of travel. Any flight exceeding</p>	<p>Travel should be scheduled only when necessary for business objectives. Schedule flexibility is expected to help minimize cost, but it need not unreasonably invade personal time and convenience. Non- refundable fares should be weighed against the cost- savings and the likelihood of plan changes. Generally, select non-refundable fares if the cost savings exceed the fee for changing the ticket.</p>
Air Fare Surcharges	<p>Small charges (up to \$30.00 per flight) for boarding priority are acceptable.</p> <p>Luggage fees (1 bag) are considered reasonable if traveling for more than 3 days.</p>	<p>Avoid all charges for seat assignments and seat upgrades unless flying for more than 6 hours straight.</p> <p>Change fees should be avoided and must have written Manager approval before being incurred.</p>
Hotel	<p>Up to \$160.00 per night is considered acceptable.</p>	<p>Refer to “JJE Corporate Hotel Rates” listing and utilize these listed hotels when possible. Hotels expenses such as movie rentals or valet parking are not covered.</p>
Meals – Traveling Employee Only	<p>Up to \$20.00 for breakfast or lunch; up to \$50.00 for dinner (per person).</p>	<p>Applicable to travel only outside the local area.</p>

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<p>Group Meals/Entertainment – Employee Attendees Only</p>	<p>Up to \$20.00 for breakfast or lunch; up to \$50.00 for dinner (per person).</p> <p>All attendees of the meal must be documented on the expense claim within Concur.</p>	<p>Intended for (a) group meals while travelling out of town or (b) working session in which business is conducted, generally not to exceed one such meeting per quarter for the same group. May also apply to <i>occasional</i> recognition or departmental outings.</p> <p>The most senior employee at the meal must pay for the meal. Any exceptions to this and/or to the meal guidelines, must be submitted for “one over approval”.</p>
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Group Meals/Entertainment – Including Customers or Other Third Parties	<p>Up to \$150.00 per person.</p> <p>All attendees of the meal must be documented on the expense claim within Concur.</p>	<p>Includes food, beverage and/or entertainment of attendees <b>with a customer or third party in attendance</b>, where a business benefit is expected.</p> <p>Beverages, including wine and liquor, should be no more than moderately priced and should be consumed in moderation. Any exceptions to this and/or to the meal guidelines, must be submitted for “one over approval”.</p>
Gratuities on Meals	Up to 20%.	Approach as good service earns 15-20%
Car Rental	No mileage reimbursement is allowed on rental car travel. You can claim reimbursement for the cost of refueling the vehicle, which should be paid with your company credit card. Compact or	<p>Car size exceptions apply to large group travel (3 or more travelers).</p> <p>Insurance on car rentals should be declined as there is coverage through the company credit</p>
Airport Parking	Short-term parking at the terminal should only be used for short trips (no more than one overnight).	For multi-day trips, use long-term or remote parking. If the costs of driving and parking exceed the cost of a taxi/shuttle, choose the latter.

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## CORPORATE HOTEL RATES

***Whenever possible, the below hotels should be used or a hotel that offers a comparable rate.***

Innisfil and Barrie:

Holiday Inn Express – Rate \$109.99 + tax

506 Bryne Drive

Barrie, ON (705-

725-1002)

Four Points by Sheraton – Rate \$104.00 + tax

60 Bryne Dr

Barrie, ON

705-733-8989 x 0

Ottawa:

Holiday Inn Express – Rate \$154.00 + tax

2881 Gibford Dr.

Gloucester, ON

(613-247-9500)

Winnipeg:

Canada Inns Garden City – Rate \$107.00 + tax

2100 McPhillips St.

Winnipeg, MB

(204-633-0024)

Calgary:

Service Plus Inns – Rate \$119.00 + tax

3505 114 Avenue

Calgary, AB (403-

256-5352)

Edmonton:

Four Points Sheraton – Rate is \$105.00 + tax

403 11 Avenue

Nisku, AB T9E 7N2

(780) 770-9099

Dartmouth:

Delta Dartmouth – Rate \$143-169 + tax depending on the  
season 240 Brownlow Ave

Dartmouth, NS

902-462-8888

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## **CORPORATE CAR RENTAL DISCOUNT PLANS**

Enterprise: VC2441

Budget: Z729209

Hertz: 2007832 Avis:

Z615865

National Car Rental: XVC2441

Dollar Rent A Car: TB6949

Thrifty Car Rental: 001023

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**Subject: Credit Card Use**

**PURPOSE**

To monitor all company credit card expenses, ensuring proper payments can be issued, validation of authorized expenses are charged and accurately recorded.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI"," Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

To improve the monitoring and tracking of company expenses, every identified employee of Joe Johnson Equipment LLC will have a unique company credit card number. Each expense paid for by company credit card is personal to that employee because the card number is specific to that employee and the expenses will not be inter-mingled with any other employee's expenses. This provides clear reporting and tracking. The procedures for the Corporate Credit Card Program are as follows

1. Each individual that is issued a TD Visa will be responsible to account for all purchases made on that card. The only exception is the TD Visa that is issued in the name of Roberta Shaw.
2. All purchases require a PO Requisition Form (Appendix 128-A) to be completed.
3. Inventory items or anything for resale requires a purchase order to be opened in MAS with the appropriate information completed within the system.
4. Authorized signatories will be the same as the purchase authorization list. Please see attached. Only those goods and services authorized are approved for purchase with the credit card.
5. Maximum amount to be charged to the credit card is \$1,500. Amounts above this limit must be approved by the controller or VP's.
6. A copy of the signed PO Requisition, receipt and PO must be faxed to the attention of the Controller at 705-436-8502 or emailed within 24 hours of purchase
7. The original receipt must be forwarded to the controller's attention accompanied with the printed PO, receipt of goods and work order showing the goods.

All staff members that carry or use any company credit card(s) must follow these rules of conduct:

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- Retain and within seven (7) days provide the Payroll Coordinator with both the credit card receipt and the underlying receipt identifying the item(s) paid. It is vital that both receipts are provided.
- Please also highlight or circle the words "Visa" on the receipt so the Payroll Coordinator is immediately aware of the credit card receipt and transaction. A best practice: circle the word "Visa" at the point-of-sale to ensure this is completed
- On the front of those receipts, write the specific reason for this expense/transaction and designate charges, where possible. For example: "charge against Pickering aerial demonstration", "charge to Shop Supplies", "lunch with Dave Millson of the City of Barrie", etc. Again, this also can be done right at the point-of-sale to ensure an accurate account for the transactions and charges.
- For phone credit card purchases, such as a flight or rental car bookings, ensure a receipt is emailed/faxed immediately to JJE and complete the above requirements. Again, we require both receipts to ensure costs are tracked and monitored accordingly.

Only authorized expenses maybe charged to the credit card. The same authorization applies to the credit cards as it would under any other circumstance. For greater clarity, if you are authorized as part of your job function to incur specific expenses, then you may charge this on the credit card. The credit card does NOT explicitly or implicitly assign additional purchasing authority.

The company has the right to request additional support or documentation to verify the validity of the expense incurred. Should it be found that personal and/or unauthorized charges have occurred, the Employee will be required to pay any such charges to Joe Johnson Equipment LLC, through the deduction of the employee's pay. Payroll deductions will occur on the following payroll cycle and the employee will be provided written notice, including the reason and amount to be deducted, 5 days prior to the deduction in pay.

<b>P129</b>	<b>Subject: Paid Sick Leave Policy – New York Employees</b>	<b>Review Date: January 1, 2021</b>	<b>Revision Date: January 1, 2021</b>
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**PURPOSE**

Joe Johnson Equipment LLC (the “Company”) provides its employees based in New York the opportunity to accrue and use paid sick leave in accordance with the New York’s paid sick leave law (N.Y. Lab. Law § 196-b) (the “Act”).

**SCOPE**

This Policy applies to all employees of the Company employed in New York (“Eligible Employees”) and is effective January 1, 2021. This Policy replaces and supersedes any existing, accrued paid sick leave hours under prior sick leave policies of the Company, which such policies (if any) are terminated and of no further force and effect as of December 31, 2020.

**DEFINITIONS (for the purpose of this policy)**

The “Company” – Joe Johnson Equipment LLC

“Employee” - may be refer as an employee, “the employee”, “employees”, “staff”, “team members” or specified position within the Company at various times throughout this policy manual.

“Family member” – is defined as an employee’s child, spouse, domestic partner, parent, sibling, grandchild or grandparent, and the child or parent of an employee’s spouse or domestic partner.

“Parent” – is defined to mean a biological, foster, step-or adoptive parent, or a legal guardian of an employee, or a person who stood in loco parentis when the employee was a minor child.

“Child” means a biological, adopted, or foster child, a legal ward, or a child of an employee standing in loco parentis.

“Sick leave benefit year” – refers to a calendar year from January 1<sup>st</sup> to December 31<sup>st</sup>

**“POLICY**

On January 1, 2021, and each January 1st thereafter, each Eligible Employee shall receive and accrue forty (40) hours of paid sick leave for their use during the same calendar year. Likewise, an individual hired by the Company during a calendar year and who is an Eligible Employee, shall receive and accrue forty (40) hours of paid sick leave hours on his/her date of hire for his/her use during the remainder of the calendar year in which he/she was hired.

At the end of a calendar year, an Eligible Employee may carry-over to the next calendar year any accrued but unused sick leave hours.

<b>P129</b>	<b>Subject: Paid Sick Leave Policy – New York Employees</b>	<b>Review Date: January 1, 2021</b>	<b>Revision Date: January 1, 2021</b>
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Hours taken as paid sick leave under this Policy will be paid at the same base rate of pay with the same benefits as the employee normally earns. No more than forty (40) accrued sick leave hours may be used by an Eligible Employee in a calendar year, notwithstanding the fact that the employee may have accrued sick leave hours in excess of forty (40).

Accrued but unused sick leave hours are forfeited and will not be paid out to an employee upon the employee's termination, resignation, retirement, or other separation from employment.

An Eligible Employee may take accrued sick leave for any of the purposes set forth below. Sick leave may be taken only in increments of four (4) hours, unless an employee is scheduled to work less than four (4) hours on a given day for which leave is sought, in which such case the employee may take sick leave that day in an increment equal to the number of hours scheduled that day.

**Permitted Uses of Accrued Paid Sick Leave.**

An Eligible Employee may use accrued but unused paid sick leave:

- a. For a mental or physical illness, injury, or health condition of such employee or such employee's family member, regardless of whether such illness, injury, or health condition has been diagnosed or requires medical care at the time that such employee requests such leave;
- b. For the diagnosis, care, or treatment of a mental or physical illness, injury or health condition of, or need for medical diagnosis of, or preventive care for, such employee or such employee's family member; or
- c. For an absence from work due to any of the following reasons when the employee or employee's family member has been the victim of domestic violence as defined under New York law, a family offense, sexual offense, stalking, or human trafficking:
  - 1) To obtain services from a domestic violence shelter, rape crisis center, or other services program;
  - 2) To participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members;
  - 3) To meet with an attorney or other social services provider to obtain information and advice on, and prepare for or participate in any criminal or civil proceeding;
  - 4) To file a complaint or domestic incident report with law enforcement;
  - 5) To meet with a district attorney's office;
  - 6) To enroll children in a new school; or
  - 7) To take any other actions necessary to ensure the health or safety of the employee or the employee's family member or to protect those who associate or work with the employee.

For purposes of this Policy, the reasons outlined above in subparagraph (c)(1) through (7) must be related to the domestic violence, family offense, sexual offense, stalking, or human trafficking. Also, a person who has committed such domestic violence, family offense, sexual offense, stalking, or human trafficking shall not be eligible for leave under this Policy for situations in which the person committed. Such offense and was not a victim, notwithstanding any family relationship.

**Retaliation Prohibited.**

The Company will not discharge, threaten, penalize, or in any other manner discriminate or retaliate against an employee because the employee has exercised his or her rights under the Act, including but not limited to requested sick leave and using sick leave under this Policy and/or the Act.

**Reinstatement.**

Provided an employee seeks to return to work after exhausting his/her accrued sick leave under this Policy and/or the Act, the employee will be reinstated to the position held by the employee prior to any sick leave taken with the same pay and other terms and conditions of employment. An employee unable to return to work following use of all his/her accrued sick leave under this Policy and/or Act, must contact Human Resources to explore other available leaves of absence and/or accommodations.

**RESPONSIBILITY****Administration**

The Human Resources Department is responsible for the administration of this Policy. Questions regarding this Policy should be communicated to the Human Resources Department. This Policy will be administered in accordance with the Act. In the event of a discrepancy between this Policy and the Act, the terms and conditions of the Act shall control and apply. The Company expressly reserves the right to change, modify, or discontinue this Policy at any time, subject to and to the extent permitted by the Act and other applicable laws.

**PROCEDURE****Procedure for Using Accrued Paid Sick Time.**

To request sick leave time under this Policy, eligible employees must make a written request to the Human Resources department by completing the Absence Request form located under Managed Bookmarks of the web browser. In situations where a written request is not possible, an oral request to use sick leave time can be made to the Human Resources Department.

Employees are requested to make a reasonable effort to schedule the use of accrued sick leave in a manner that does not unduly disrupt the Company's operations.

Upon the oral or written request of an Eligible Employee, the Company will provide a summary of the amounts of sick leave accrued and used in the current calendar year and/or any previous calendar year within three (3) business days of the request.

The Company will not require the disclosure of confidential information relating to a mental or physical illness, injury, or health condition of an Eligible Employee or the employee's family member, or information related to absence from work due to domestic violence, a sexual offense, stalking, or human trafficking, as a condition of sick leave.

**EXHIBITS/FORMS**

Absence Request Form <https://app.smartsheet.com/b/form/ee08f0900262473899c80ca046a06383>

**Subject: Personal Use of Technology**

**PURPOSE**

The purpose of this policy is to ensure that JJE employees are aware and understand the guidelines regarding the personal use of technology in the workplace, as well as the consequences of not adhering to the policy.

**SCOPE**

This policy is applicable to all employees of JJE.

**DEFINITIONS (for the purpose of this policy)**

The "Company" - Joe Johnson Equipment LLC, may be represented as "JJE", "JJEI", "Joe Johnson Equipment", "the Business" or the "Company" at various times throughout this policy manual.

An "Employee" - Joe Johnson Equipment LLC may refer to an employee as "the employee", "employees", "staff", "team members" or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**POLICY**

Personal use of technology including cell phones/smart phones, computers/tablets and land line phones during business hours is **not permitted** with the exception of break periods or extenuating/emergency situations. The use of technology for personal reasons during business hours can cause safety issues due to distractions and impact employee's focus and productivity. It is also considered a misuse of company resources and time, and anyone identified as doing so may be subject to progressive discipline which will include:

- Verbal Warning
- Written Warning
- Dismissal

Managers are responsible to monitor and address anyone not adhering to this policy in alignment with the above progressive discipline steps.

**Cell Phones/Smart Phones**

JJE employees will not use cell phones/smart phones for personal communication unless on a break. This applies to employees with their own cell phones or company-provided cell phones. Alerts such as ring tones and text alerts must be muted/turned off during work hours so as to not disturb or distract employees.

**Computers/Tablets**

JJE employees will limit the use of computers and tablets to be for work purposes only during business hours. Accessing the internet for personal reasons during work is not permitted.

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### **Land Lines**

JJE employees must not make personal phone calls during business hours, unless there are extenuating circumstances. If a call must be made, the employee should do so on a break period and the call should be kept to a minimum so business phone lines are not tied up for non-business purposes.

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**Subject: Company Vehicle and CMV**

**PURPOSE**

To ensure legislative compliance as it related to the transportation and use of company commercials and otherwise vehicles.

**SCOPE**

This policy is applicable to all employees of Joe Johnson Equipment LLC who operate vehicles on company business.

**DEFINITIONS (for the purpose of this policy)**

**The “Company”** - Joe Johnson Equipment LLC, may be represented as “JJE”, “JJEI,” Joe Johnson Equipment”, “the Business” or the “Company” at various times throughout this policy manual.

**Employee** - Joe Johnson Equipment LLC may refer to an employee as “the employee”, “employees”, “staff”, “team members” or specified position within Joe Johnson Equipment at various times throughout this policy manual.

**CDL - Commercial Driver's License (CDL):** A license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR Part 383, to an individual which authorizes the individual to operate a class of a commercial motor vehicle.

**CMV - Commercial Motor Vehicle:** Any vehicle, machine, tractor, trailer, or semi-trailer propelled or drawn by mechanical power and used upon the highways in the transportation of passengers or property, or any combination thereof determined by the Federal Highway Administration or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

- a. The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds.
- b. The vehicle is designed to transport more than 15 passengers, including the driver.
- c. The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the secretary under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801-1813).

**Driver:** Any person who operates any commercial motor vehicle.

**Gross Combination Weight Rating (GCWR):** The value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, GCWR will be determined by adding the GVWR of the power unit and the total weight of the towed unit and any load thereon.

**Gross Vehicle Weight Rating (GVWR):** The value specified by the manufacturer as the combined weight of the motor vehicle plus its load.

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**On Duty Time or Hours of Service Terms:** All time from the time a driver begins to work or is required to be in readiness to work until the time he is relieved from work and all responsibility for performing work.  
**Driving Time:** The term "drive" and "driving time" shall include all time spent at the driving controls of a motor vehicle in operation.

Motor Vehicle:

## **POLICY**

Many employees of Joe Johnson Equipment LLC operate company-owned, leased, rented, or personal vehicles as part of their jobs. Employees are expected to operate vehicles safely to prevent accidents that may result in injuries and property loss. It is the policy of Joe Johnson Equipment LLC to provide and maintain a safe working environment to protect our employees and the citizens of the communities where we conduct business from injury and property loss.

To establish guidelines for the acquisition, operation, maintenance and repair, fueling and disposal of vehicles and equipment; ensure responsibilities are clearly understood; ensure relative legislation is adhered to; meet corporate goals; ensure only competent and fully licensed/qualified staff operate vehicles and equipment; and to control costs.

Every employee of Joe Johnson Equipment LLC is responsible for adhering to the terms of these policies and procedures, and your Manager at JJE is charged with the duty to ensure your compliance. This policy closely mirrors the *Law* in New York, but it is not meant to replace the ASSHTO or CMV, or any other applicable regulation issued by the New York Department of Transportation. It is merely an annotated version of the law that forms our Company policy; you still must of course adhere to the *Law*.

Failure to comply with the terms set forth in this policy will result in consequences to the employee up to and including termination of employment. Any breach of these terms may result in civil and or criminal prosecution against the employee and /or Joe Johnson Equipment LLC Inc.

It is of the utmost importance for you to comply with these procedures. The impact of your failure to do so could be huge and grave, as this affects our ability to operate as a business overall. As a Joe Johnson Equipment LLC employee, it is your responsibility to understand this document in its entirety as it applies to you; "ignorance of the Policy is not an excuse" for breaching a policy or procedure. Please ask your Manager, Rentals or Human Resources Departments for any clarification on any topic contained herein. In the event of a traffic accident or incident, please notify Rentals or Human Resources immediately.

## **ROLES AND RESPONSIBILITIES**

**The Company will:** be responsible for the successful implementation and on-going execution of this policy and procedures. Establish measurement objectives to ensure compliance with the program by ensuring that a high standard of vehicle safety is adhered to by employees and will provide assistance and the resources necessary to implement and maintain the program.

**Managers and Supervisors will:** ensure employees assigned Company vehicles are responsible for meeting and maintaining the requirements set forth in this policy and procedures. Investigate and report all accidents involving a motor vehicle used in performing company business. Forward all accident reports to the Human Resources Department. Be responsible for taking appropriate action to manage high-risk drivers as defined by this program. Provide driver training either internally or through external means for high- risk drivers.

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Human Resources will: Review motor vehicle accident reports as part of the Company Safety Program. Revise and distribute changes to the Motor Vehicle Safety Program to managers, supervisors, and drivers as necessary. Maintain appropriate records.

**Employees (Drivers) will:** always operate a motor vehicle in a safe manner as explained under the section titled "Driver Safety Regulations." Maintain a valid driver's license. Maintain assigned vehicles according to established maintenance standards.

Drivers involved in intra or interstate operations with GMVR of 26,001 pounds or more must have a CDL license and be enrolled in a DOT Drug and Alcohol Testing Program.

**Class Definitions:**

A) **D class** - is required to operate any car, van or small truck or combination of vehicle and towed vehicle up to 10,000 lbs provided the towed vehicle is not over 26,600 kg.

B) **CDL class** - is required to operate a commercial motor vehicle (CMV), which is defined as:

- A single vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more
- A trailer with a GVWR of more than 10,000 pounds if the gross combination weight rating is 26,001 pounds or more
- A vehicle designed to transport 16 or more occupants, including the driver, or a vehicle defined as a bus
- Any vehicle that requires hazardous materials placards

You can obtain a Class A, Class B, or Class C commercial license, depending on the type of vehicle you will be driving. If you drive a CMV without a commercial license, you could go to jail or incur a court fine of \$5,000.

**CMV Requirements**

These vehicles are exempt from CVOR legislation. (iii) Off Road Vehicles - non-licensed vehicles and/or equipment such as street sweepers, loaders, graders, tractors, etc., used for construction work. (iv) Equipment - handheld or stationary equipment such as chainsaws, trimmers, push mowers, pumps, generators, etc. or self propelled equipment such as ride-on mowers, garden tractors, ice maintenance equipment, etc.

Any Joe Johnson Equipment LLC Inc. employee that, at any time, operates a CMV class vehicle **must** perform the following actions:

**1. Complete a pre-trip inspection**

Every JJE CMV Class vehicle must be inspected before its first trip each day.

A list for what is required by the ministry while completing a trip inspection is attached as Appendix -127A. All drivers must complete a trip inspection sheet that must remain in the vehicle for the entire day before submitting it to the relevant service department upon their return to the shop. If the trip lasts for more than one day, all daily trip sheets for that trip must be submitted upon the driver's return to the shop.

The following must appear on each trip inspection sheet:

- i. Vehicle make
- ii. License Plate or unit number
- iii. License plate or unit number and the trailer number if applicable
- iv. Date and time of inspection
- v. Name and signature of the person who inspects the vehicle
- vi. Any safety defects

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(Please see the attached Appendix for a list of items to be inspected.)

Every driver shall forward the inspection report to the Service Department that is responsible for maintaining that vehicle either (i) upon his return to the yard or (ii) within 5 days, whichever date comes first.

If there are no defects found, the person who inspects the vehicle shall record that fact on the trip inspection sheet.

In the event that a defect is found, it must be reflected on the pre-trip inspection report and reported to the Shop Foreman or Service manager before the vehicle can be operated.

If a defect is found *during* a trip, it must also be noted on the trip inspection sheet, regardless of whether that driver is driving or otherwise in charge of the vehicle.

If the defect is a safety issue, the vehicle may not be operated by anyone until the defect is repaired or the vehicle is deemed fit for the road by a licensed service technician. The pre-trip inspection report must be signed by a licensed service technician before the vehicle can again be operated on a road.

No JJE employee shall knowingly operate a vehicle that has a safety defect or one that is overloaded by weight or dimension. Each individual employee is responsible for ensuring load security in compliance with the HTA and Truck Transportation Act, including proper positioning of the load to ensure compliance with the Weights and Measures Act.

## **2. Complete and Maintain a Log Book**

All drivers must maintain a log book while operating any CMV class vehicle and must adhere to the following requirements:

- ☐ A Driver may not drive a vehicle after having driven for 13 hours or been on duty for 14 hours or 16 hours of elapsed time (work shift). (To clarify you are considered "on duty" at any time you are performing a function for JJE)
- ☐ A Driver shall be in compliance at all times with at least one of the following two schedules.
  - i. In any period of 7 consecutive days, a driver may not drive after having been on duty for 70 hours during that period
  - ii. In any period of 14 consecutive days a driver may not after having been on duty for 120 hours during that period, AND a driver shall not drive unless the driver has been off duty for at least 24 consecutive hours before the driver totals 70 hours on duty during that period.
- ☐ A Driver must have at least 8 consecutive off duty time between days.
- ☐ Driver must declare cycle one or two in daily log
- ☐ 48 hour averaging allows a driver to reduce the daily off duty requirement by the 2 "other" hours of off duty time and this time is added to the 8 consecutive hours on day 2, This provision may be exercised every 2nd day is a driver chooses.
- ☐ Cycle Reset - Rest and recovery - minimum 36 hour reset for cycle 1 (70/7 days) - minimum 72 hour reset for cycle 2 (120/14 days)
- ☐ The following must appear on a handwritten driver daily log.
  - a. Driver name (complete name)

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- b. Start time
- c. Time the driver spends in each duty status during the day
- d. City, town, village or highway location and the location province or state where the driver duty status changes
- e. Odometer reading recorded for each commercial motor vehicle he or she drives during that day (start and finish)
- f. Total distance driven by the driver
- g. Number plate or unit number of each commercial motor vehicle driven and each trailer drawn by the driver
- h. The name and address of the company for which the driver drives (this should always say Joe Johnson Equipment LLC Inc. and the address of the driver's JJE location they are based out of.)
- i. Date and driver's signature
- j. A continuous line between all duty status periods for the entire day (duty period are off duty, off duty in a sleeper berth, on duty not driving and driving.)
- k. Total time for each duty status must be entered on the right hand side of the graph grid.
- l. Sum of the total times for each duty status must show 24 hours

☐ All drivers must have in their possession the following while operating a commercial motor vehicle:

- a. A daily log up-to-date to the point of the last 'change of duty' status.
- b. Copies of their daily logs for the preceding 7 day period.
- c. All fuel, accommodation, bridge and toll road receipts.

☐ A driver is not required to make a log on a day on which:

- a. The driver is instructed to drive within a 160km radius of the place where he reports to work, and
- b. The driver returns to home terminal each day to begin to take 8 consecutive hours off duty, and
- c. The driver must maintain a record of on duty status records for each day.
- d. Records must be kept for 6 months.

☐ All drivers must submit their logs, fuel and accommodation receipts to their manager at the JJE branch he reports to within 14 days.

☐ All managers must submit these logs, once they are inspected for accuracy, to Kelly Smith for review. This must be done within 30 days from receipt of the logs from the driver.

☐ All logs, once submitted to the Human Resources Manager must still be kept for at least 6 months.

#### **D Class Requirements**

- a. Every employee who drives a company vehicle at any time must have:
  - b. A valid D driver's license in good standing
  - c. Provide with a photo copy of license and to provide JJE LLC with the consent to conduct a driver's abstract
  - d. Obtained Company insurance and has been given approval to drive the appropriate vehicle, by the VP of Finance and Administration
- ☐ For employees who have been provided with a company vehicle for a continual period throughout the year, will be required to:

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- a. Track all accumulated kilometers and personal kilometers used throughout the year.
- b. Regular maintenance of the vehicle to ensure it is in good working order

### **Vehicles**

It is the responsibility of each branch Service Manager to ensure the maintenance of all vehicles at the respective location.

### **Records kept by Joe Johnson Equipment LLC**

- a. Identification records
  - b. Copy of ownership.
  - c. Owned-company information, if other than JJE.
  - d. Name of the person or company who supplied vehicle.
- ☐ We must have in place a periodic inspection, repair and maintenance program in place to ensure that all vehicles are systematically repaired, maintained and inspected in accordance with our maintenance program **Light Duty Maintenance Schedule** (Appendix 127-B), and **Heavy Duty Maintenance Schedule** (Appendix 127-C). These schedules set forth must be adhered to. We must have a separate **Heavy Duty Trailer Maintenance Program** (Appendix 127-D), and the **Utility Trailer Maintenance Program** (Appendix 127- D1) in place; this schedule will be based solely on a monthly interval as our trailers are not equipped with hub meters.
- ☐ Vehicle maintenance and repair records must be complete and shall include the following information:
- a. Odometer reading at time of repair.
  - b. Inspection or maintenance that took place.
  - c. Complete vehicle information: Make, model, year, VIN# and unit#.
  - d. Person or persons who performed inspection or repair.
- ☐ Each fleet vehicle must have its own jacket (file) in which all maintenance, safety documentation will be kept. These files must be kept up to date.
- ☐ Daily Pre-trip inspections must be reviewed by the service department daily. If any action is required to ensure the vehicle is in safe operating condition and deemed safe for operation it must be addressed immediately. Any repairs or maintenance records performed by JJE or any outside source must be filled in the corresponding vehicle jacket as soon as possible.
- ☐ All records and statements must be kept by JJE for a period of two years, and 6 months after a vehicle or sold or no longer considered our responsibility.

If you have any questions or concerns with respect to this document please contact Tisyn Milne or Ted Hui, VP of Finance as soon as possible.

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