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**Temporary Employee Handbook**

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**FOREWORD**

Whether you have just joined our staff or have been at Tributary Staffing for a while, we are confident that you will find our company a dynamic and rewarding place in which to work and we look forward to a productive and successful association. We consider employees to be our greatest resource and strength. This manual was written to serve as a guide for the employer/employee relationship.

There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to Management. Neither this handbook nor any other Company document, confers any contractual right, either express or implied, to remain in the Company's employ. Nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time and may be terminated at will, with or without cause and without prior notice, by the Company or you may resign for any reason at any time.

Second, the procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur.

Finally, some of the subjects described here are covered in detail in official plan documents. You should refer to these documents for specific information, since this handbook only briefly summarizes those benefits.

# A. INTRODUCTION

1. **EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

It is the policy of Tributary Staffing to ensure equal employment opportunity without discrimination or harassment on the basis of race, religion, color, national origin, ancestry, sex (including pregnancy, childbirth or related medical conditions and breastfeeding), gender identity, gender expression, sexual orientation, age, physical or mental disability, marital status, military or veteran status, genetic information or any other classification protected by applicable local, state or federal laws. Tributary Staffing prohibits and will not tolerate any such discrimination or harassment.

Tributary Staffing is also committed to complying fully with applicable disability discrimination laws, and ensuring that equal opportunity in employment exists at Tributary Staffing for qualified persons with disabilities. All employment practices and activities are conducted on a non‐discriminatory basis. Reasonable accommodations will be available to all qualified disabled employees, upon request, so long as the potential accommodation does not create an undue hardship on Tributary Staffing. Employees who believe that they may require an accommodation should discuss these needs with the President.

This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination and all other terms and conditions of employment. Employees' questions or concerns should be referred to Management. Appropriate disciplinary action may be taken against any employee willfully violating this policy.

1. **NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY**

Tributary Staffing is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, Tributary Staffing expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment.

## Definitions of Harassment

1. Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i.) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii.) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii.) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through email); and other physical, verbal or visual conduct of a sexual nature. Sex-based harassment that is, harassment not involving sexual activity or language (e.g., male manager yells only at female employees and not males) may also constitute discrimination if it is severe or pervasive and directed at employees because of their sex.

1. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, religion, color, national origin, ancestry, sex (including pregnancy, childbirth or related medical conditions and breastfeeding), gender identity, gender expression, sexual orientation, age, physical or mental disability, marital status, military or veteran status, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i.) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii.) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii.) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through email).

## Individuals and Conduct Covered

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a member of management, or by someone not directly connected to Tributary Staffing (e.g., an outside vendor, consultant or client).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

## Retaliation is Prohibited

Tributary Staffing prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such report. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

## Complaint Procedures – Reporting an Incident of Harassment, Discrimination or Retaliation

Tributary Staffing strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to Tributary Staffing's policy or who have concerns about such matters should file their complaints with a member of Tributary Staffing Management before the conduct becomes severe or pervasive.

Important Notice To All Employees:

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation could affect his or her rights in pursuing action.

Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, Tributary Staffing

strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. Tributary Staffing will make every effort to stop alleged harassment before it becomes severe or pervasive, but can only do so with the cooperation of its employees.

The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

## The Investigation

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly, thoroughly and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

## Responsive Action

Misconduct constituting harassment, discrimination or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to counseling, monitoring of the offender and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay or termination, as Tributary Staffing believes appropriate under the circumstances.

If an employee making a complaint does not agree with its resolution, the employee may appeal to Tributary Staffing's President. Individuals who have questions or concerns about these policies should speak with a member of Management.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular class, or any other protected characteristic, from participating in business or work-related social activities or discussions. The law and the policies of Tributary Staffing prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and perquisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

**3. AMERICANS WITH DISABILITIES ACT POLICY STATEMENT**

The Company is committed to complying with all applicable provisions of the Americans With Disabilities Act ("ADA"). It is the Company's policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual's disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the Company will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made the Company aware of his or her disability, provided that such accommodation does not constitute an undue hardship on the Company.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact a member of Management. Tributary Staffing encourages individuals with disabilities to come forward and request reasonable accommodation.

## Procedure for Requesting an Accommodation

Tributary Staffing will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, Tributary Staffing's overall financial resources and organization, and the accommodation's impact on the operation of the Company, including its impact on the ability of other employees to perform their duties and on Tributary Staffing's ability to conduct business.

Tributary Staffing will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request to the President. If the request on appeal is denied, that decision is final.

The ADA does not require Tributary Staffing to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc.).

An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify a member of Management. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

**4. CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT STATEMENT**

The Company expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Company. Business dealings that appear to create a conflict between the interests of the Company and an employee are unacceptable. The Company recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the Company may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of the Company's business dealings.

Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact a member of Management to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

A violation of this policy will result in immediate and appropriate discipline, up to and including termination.

## Outside Employment

Employees are not required to obtain written approval before participating in outside work activities. In general, outside work activities are not allowed when they:

* prevent the employee from fully performing work for which he or she is employed at the Company, including overtime assignments;
* involve organizations that are doing or seek to do business with the Company, including actual or potential vendors or clients; or
* violate provisions of law or the Company's policies or rules.

From time to time, Company employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to the Company must be given priority. Employees are hired and continue in Tributary Staffing's employ with the understanding that Tributary Staffing is their primary employer and that other employment or commercial involvement which is in conflict with the business interests of Tributary Staffing is strictly prohibited.

## Financial Interest in Other Business

An employee and his or her immediate family may not own or hold any significant interest in a supplier, client or competitor of the Company, except where such ownership or interest consists of securities in a publicly owned company and that securities are regularly traded on the open market.

## Acceptance of Gifts

No employee may solicit or accept gifts of significant value (i.e., in excess of $50.00), lavish entertainment or other perks from potential and actual clients, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest.

An employee may entertain potential or actual clients if such entertainment is consistent with accepted business practices, does not violate any law or generally accepted ethical standards and the public disclosure of facts will not embarrass the Company. Any questions regarding this policy should be addressed to the President.

## Work Product Ownership

Tributary Staffing employees must be aware that Tributary Staffing and/or the respective Client Company retains legal ownership of the product of their work. No work product created while employed by Tributary Staffing can be claimed, construed, or presented as property of the individual, even after employment by Tributary Staffing has been terminated or the relevant project completed. This includes written and electronic documents, audio and video recordings, system code, and also any concepts, ideas, or other intellectual property developed for Tributary Staffing, regardless of whether the intellectual property is actually used by Tributary Staffing. Although it is acceptable for an employee to display and/or discuss a portion or the whole of certain work product as an example in certain situations (e.g., on a resume, in a freelancer's meeting with a prospective client), one must bear in mind that information classified as confidential must remain so even after the end of employment, and that supplying certain other entities with certain types of information may constitute a conflict of interest.

## Reporting Potential Conflicts

An employee must promptly disclose actual or potential conflicts of interest, in writing, to a member of Management. Approval will not be given unless the relationship will not interfere with the employee's duties or will not damage the Company's relationship.

## **5. CONFIDENTIAL NATURE OF WORK**

All Tributary Staffing records and information relating to Tributary Staffing or its clients are confidential and employees must, therefore, treat all matters accordingly. No Tributary Staffing or Tributary Staffing-related information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials (except in the ordinary course of performing duties on behalf of Tributary Staffing) may be removed from Tributary Staffing's premises without written permission from Tributary Staffing. Additionally, the contents of Tributary Staffing's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. Employees must not disclose any confidential information, purposefully or inadvertently through casual conversation, to any unauthorized person inside or outside the Company. Employees who are unsure about the confidential nature of specific information should ask a member of Management for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

# B. LEAVE, BENEFITS AND OTHER WORK POLICIES

## **1. VACATION**

Tributary Staffing offers paid vacation for full time employees for the purpose of rest, relaxation, and personal

pursuits. Five (5) days of paid vacation is earned after 12 months and 2000 hours of continuous employment. If you have a break in employment over 21 days, the accrual period starts over. Each year on your anniversary date, you must have completed 2000 hours to be eligible for the 5 days of paid vacation. Vacation time must be submitted to Tributary Management at least one week prior to the requested time off. Vacation not used in the allotted time (Anniversary date to Anniversary date), may be paid out in lieu of time off, at the option of the employee. If you are no longer working, quit or are separated for any reason; vacation time will be forfeited. Vacation time cannot be carried over to the next year.

## **2. HOLIDAYS**

Tributary Staffing will close in observance of the following holidays: New Year’s Day, Memorial Day, Independence Day, Pioneer Day, Labor Day, Thanksgiving Day, and Christmas Day. Holidays are nonpaid. Employees on Client assignment should confirm with their respective Client Representative as to that company’s holiday schedule.

## **3. BEREAVEMENT LEAVE**

In the unfortunate event of a death in the immediate family, a leave of absence of up to 3 days without pay will be granted. These days are to be taken consecutively within a reasonable time of the death or day of the funeral, and may not be split or postponed. Employees should inform their Client Representative as soon as possible.

For this purpose, immediate family is defined as: Spouse, Child, Step-Child, Parents (Including In-Laws), Step Parents, Siblings, Step-Siblings, Grandparents, and Grandchildren.

## **4. JURY DUTY**

A leave of absence for jury duty will be granted to any full-time or part-time employee who has been notified to serve. During this leave, employees will not be compensated.

Upon receipt of the notice to serve jury duty, the employee should immediately notify his/her Client Representative, as well as Tributary Management. A copy of the notice to serve jury duty should be attached to the employee's weekly timecard for attendance purposes.

## **5. MILITARY LEAVE**

An employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted an unpaid leave of absence for military service, training or related obligations in accordance with applicable law. At the conclusion of the leave, every effort will be made to put the employee in the same or similar position.

### Leave for Active or Reserve Duty

Upon receipt of orders for active or reserve duty, an employee should notify a member of Tributary Staffing Management as soon as possible, and submit a copy of the military orders (unless he/she is unable to do so because of military necessity or it is otherwise impossible or unreasonable).

### Leave for Training and Other Related Obligations

Employees will also be granted unpaid time off for military training and other related obligations, such as for an examination to determine fitness to perform service. Employees should advise a member of Tributary Staffing Management of their training schedule and/or other related obligations as far in advance as possible.

## **6. ABSENCE DUE TO ILLNESS**

To keep Client’s business running smoothly and efficiently, it is important that every employee be on the job on time regularly. For this reason, careful attention is given to promptness, attendance record and overall dependability.

Tributary Staffing recognizes, however, that an employee may occasionally be disabled by injury or illness. Employee's must contact their Client Representative and Tributary Staffing’s Management as soon as possible but no less than 30 minutes **prior** to the start of their shift. Leaving a message or sending a text is acceptable if done at least 30 minutes prior to your scheduled start time.

## **7. LEAVE UNDER THE FAMILY AND MEDICAL LEAVE ACT ("FMLA")**

The Family and Medical Leave Act (FMLA) provides eligible employees with up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. Employees of companies with 50 or more employees offer this program. At this time, Tributary Staffing does not offer FMLA due to its small business classification. All employees will be notified if Tributary Staffing grows to at least 50 employees and begins offering Family and Medical Leave.

## **8. LEAVE OF ABSENCE WITHOUT PAY**

Should a situation arise that temporarily prevents an employee from working, he/she may be eligible for a personal Leave of Absence without pay. Requests for a leave of absence should be submitted in writing as far in advance as possible. Upon return, every effort will be made to reinstate the employee into the same or similar position.

## **9. REFERRAL POLICY**

Tributary Staffing must utilize every means available to acquire the best talent for our organization. Our employees are a valuable resource to filling open positions within the Company and we would like to encourage employees to refer qualified candidates to join the team.

1. All temporary employees (excludes office staff) are eligible to refer candidates to Tributary Staffing.
2. A referral bonus of $50 will be paid to the referring employee after the candidate works 80 hours for Tributary Staffing. Payments will be added to the following check cycle and are subject to tax.
3. The candidate must still be employed at the time of payment.
4. The referring employee must still be employed at the time of payment.
5. The referral must be hired within 90 days of the initial referral date.
6. The referral must represent the candidate’s first contact with Tributary Staffing. Current and/or former employees of CDL Staffing Services or City Staffing Services are not eligible candidates.
7. Candidate must list the referral on their application or bring it to the attention of the office staff during their first meeting.
8. The first employee to refer a candidate will be the only referring employee eligible for payment.
9. There is no limit on the number of referrals an employee can make.

# C. EMPLOYEE BENEFITS

## **1. DISCLAIMER**

The Company has established a variety of employee benefit programs designed to assist you and your eligible dependents in meeting life’s unexpected circumstances. This portion of the Temporary Employee Handbook contains a general description of the benefits to which you may be entitled as an employee of the Company.

Please note that nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between the Company and its employees. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

As in the past, Tributary Staffing reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. Further, the Company reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

## **2. HEALTH INSURANCE**

Tributary Staffing does not currently offer health insurance. All employees will be notified if this changes in the future.

## **3. WORKERS' COMPENSATION BENEFITS**

Tributary Staffing is covered under statutory state Workers’ Compensation laws that provide benefits to employees for work-related injuries or illness. All employee are eligible upon hire.

Notification

Should you sustain a work-related injury, you must immediately notify a member of Tributary Staffing Management and your Client Representative.

Medical Help

Should your injury require basic medical attention, you should visit the Rocky Mountain Care Clinic located at 4088 West 1820 South in Salt Lake City. In the case of an emergency, you should go to the nearest hospital emergency room for treatment or call an ambulance.

Drug Testing

Tributary Staffing reserves the right to conduct drug and/or alcohol tests of parties involved in work related accidents or incidents.

Not Covered

Not all incidents that occur in the workplace are covered. Coverage may be denied in situations involving:

* Injuries caused by intoxication or drugs
* Self-inflicted injuries (intentional)
* Injuries from a fight started by the employee
* Injuries resulting from horseplay or violation of Company policy
* Injuries resulting from illegal activity
* Injuries an employee suffers off the job

Light Duty Program

Tributary Staffing established a light duty program to help transition employees back to full duty. Light duty is temporary work that is physically or mentally less demanding than the employee’s regular job.

* Documented restrictions by a physician are required to start light duty work.
* Employees released to work light duty following a work-related injury may choose to remain off work without pay.
* Light duty is a temporary program designed to return the employee to full work status.
* There is no right to continued light duty employment.
* Tasks and/or assignments may be modified, or ended at any time.
* Employees on light duty are expected to maintain performance standards for the specific task and will be held accountable for their performance.
* Employee’s must follow restrictions imposed by their doctor and should not exceed those restrictions.
* Employees on light duty will receive their regular rate of pay.
* The number of compensable hours per week on light duty is calculated by averaging the hours worked for the prior 14 weeks. Employees may elect to work less hours, without pay.
* Per state law, appointments for doctor visits, physical therapy or the like are non-paid time.
* Assigned tasks while on light duty vary by day or week according to business needs. Any and all task’s that fit within the employee’s restrictions may be assigned.
* The employee must be able to perform the essential functions of their job when light duty ends in order to continue employment. Reasonable accommodations may be made per applicable laws.
* Employees must provide a release from the doctor when returning to full duty.

# D. ON-THE-JOB

## **1. HOURS OF WORK, ATTENDANCE, PUNCTUALITY AND DEPENDABILITY**

Because Tributary Staffing depends heavily upon its employees, it is important that employees attend work as scheduled. Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. As such, employees are expected at work on all scheduled work days and during all scheduled work hours and to report to work on time. Moreover, an employee must notify his/her Client Representative and Tributary Staffing as far in advance as possible, but not later than 30 minutes **before** his/her scheduled starting time if he/she expects to be late or absent. This policy applies for each day of his/her absence. An employee who fails to contact his/her Client Representative and Tributary Staffing after an assignment ends may be considered as having voluntarily quit if no contact is made at least every two business days. A careful record of absenteeism and tardiness is kept by Clients and/or Tributary Staffing. Absenteeism and tardiness lessen an employee's chances for direct hire placement with Client companies and may result in disciplinary action up to and including termination.

### Overtime Pay

Depending on Company work needs, employees will be required to work overtime when requested to do so. Prior approval of your Client Representative, however, is required before any non-exempt employee works overtime. Employees working overtime without approval will be subject to disciplinary action.

Non-exempt full-time employees are eligible for additional pay for work performed beyond their regularly scheduled 40 weekly hours.

Each day, the time the employee starts and finishes work must be recorded on a timecard. The employee's Client Representative must approve his/her hours worked at the end of each week. Timecards should be filled out by the employee each day then signed every Friday at the end of the shift. Client Representatives should then approve the timecard and either fax or email it to Tributary Staffing.

### Timecards

Timecards are Company records, and care must be exercised in recording the hours worked, overtime hours, and absences. Employees are not to sign in or out for other employees. Violations of this policy (including falsifying time) may result in appropriate disciplinary action, up to and including termination.

Most Client’s require employees to take a 30 minute lunch each day and record it on your timecard. Some Client’s allow employees to work through lunch if desired. You many only work through your lunch or take a shortened lunch break with prior approval from your Client Representative. Prior approval is for that day only and must be clarified with your Client Representative each day thereafter.

Once an employee “clocks” in, work is to commence immediately. Failure to do so is considered falsification of timekeeping records.

If an employee forgets to clock in or out, he or she must notify their Client Representative immediately so the time may be accurately recorded for payroll.

### Personnel Files

To keep necessary Company records up to date, it is extremely important that you notify Tributary Staffing of any changes in:

* Name and/or marital status
* Address and/or telephone number
* W-4 deductions
* Person to contact in case of emergency

## **2. DRUG & ALCOHOL ABUSE**

Manufacture, distribution, dispensation, possession, use or purchase of any illegal drug, alcohol, or controlled substance during working hours, while on Tributary Staffing and/or Client premises, or while performing services for the Company or a Client is strictly prohibited. Additionally, employees are strictly prohibited from being under the influence of drugs or alcohol during any of these times. These activities constitute serious violations of Company rules, jeopardize the Company and can create situations that are unsafe or that substantially interfere with job performance. Employees in violation of this policy are subject to appropriate disciplinary action, up to and including termination.

### Drug Testing

Tributary Staffing is committed to eliminating the use of illegal drugs, alcohol, and controlled substances at our work sites. The purpose of this program is to improve job safety on all assignments. This program is designed solely for the benefit of our employees to provide a safe working environment and protection from offending individuals. In addition, this program attempts to meet our responsibility to the public, whom we serve.

Testing: Drugs and alcohol tests will be administered under the following conditions:

(i.) when an employee shows signs of impairment on the job; (ii.) after any accident or occurrence that results in an injury on the job; (iii.) after a vehicular accident; (iv.) during the pre-employment process and (v.) randomly for both DOT regulated employees and non-DOT employees. Employees who refuse to submit to drug and/or alcohol testing will be discharged from service.

Positive Test Results

Employees that test positive (for either Tributary Staffing or a client during their hiring process) will be terminated from employment but may reapply with Tributary Staffing after 12 months. They would be subject to a pre-employment drug test and random sampling thereafter. In addition, the employee should have no expectation of privacy regarding client drug test results being shared with Tributary Staffing.

## **3. APPEARANCE & CONDUCT**

Tributary Staffing expects employees to maintain a neat, well groomed appearance at all times. Employees should avoid extremes in dress. Dress codes vary from one Client to the next. You will be provided with additional information prior to accepting each assignment.

The Company requires order and discipline to succeed and to promote efficiency, productivity and cooperation among its employees. The orderly and efficient operations of Tributary Staffing require that employees maintain proper standards of conduct at all times.

Employees who fail to maintain proper standards of conduct toward their work, their co-workers or the Company's clients, or who violate any of the Company's policies, are subject to appropriate disciplinary action, up to and including termination.

## **4. VIOLENCE IN THE WORKPLACE**

The Company strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instance of violence should be reported to Tributary Staffing Management and the Client Representative. All complaints will be fully investigated.

The Company will promptly respond to any incident or report of violence. Violation of this policy will result in disciplinary action, up to and including immediate discharge.

## **5. ACCIDENTS AND EMERGENCIES**

Maintaining a safe work environment requires the continuous cooperation of all employees. The Company strongly encourages employees to communicate with fellow employees and their Client Representative regarding safety issues.

All employees will be provided care, first-aid and emergency service, as required, for injuries or illnesses while working. Employees should contact their Client Representative and/or 911 in the event of an accident or emergency.

If an employee is injured on the job, Tributary Staffing provides coverage and protection in accordance with Worker's Compensation Laws. Failure to report accident or injuries is a serious matter as it may preclude an employee from receiving coverage under Worker’s Compensation insurance.

## **6. OPEN DOOR POLICY**

Tributary Staffing promotes an atmosphere whereby employees can talk freely with members of Management. Employees are encouraged to openly discuss any problems so appropriate action may be taken. If Management cannot be of assistance, the President is available for consultation and guidance. Tributary Staffing is interested in all of our employees' success and we welcome the opportunity to help whenever feasible.

## **7. EMAIL AND INTERNET POLICY**

Temporary employees typically do not use Tributary Staffing’s email or internet but this policy also applies to the use of Client systems as well. Any questions about this policy should be addressed to Tributary Management.

Employees have no right of personal privacy in any matter stored in, created, received, or sent over the mail system and/or network. The owner of the email system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the email system, for any reason and without the permission of any employee.

Employees should be aware that deletion of any email messages or files will not truly eliminate the messages from the system. All email messages are stored on a central back-up system in the normal course of data management.

Tributary Staffing's policies against sexual or other harassment apply fully to the email system, and any violation of those policies is grounds for discipline up to and including termination. Therefore, no email messages should be created, sent, or received if they contain intimidating, hostile, or offensive material that is protected by law.

The email system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

The email system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from Tributary Management or your respective Client Representative. Employees, if uncertain about whether specific information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information and consult Tributary Management or their Client Representative.

Approval is required before anyone can post information on Tributary or Client systems or networks. Any approved material that is posted should obtain all proper copyright and trademark notices.

Users should routinely delete outdated or otherwise unnecessary emails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs.

Employees are reminded to be courteous to other users of the system and always conduct themselves in a professional manner. Emails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write email communications with no less care, judgment and responsibility than they would use for letters or internal memoranda.

Because email records and computer files may be subject to discovery in litigation, Tributary Staffing employees are expected to avoid making statements in email or computer files that would not reflect favorably on the employee or Tributary Staffing if disclosed in litigation or otherwise.

Violations of this policy may result in disciplinary action up to and including termination. Tributary Staffing reserves the right to modify this policy at any time, with or without notice.

Certain employees may be provided with access to the internet to assist them in performing their jobs. The internet can be a valuable source of information and research. In addition, email can provide excellent means of communicating with other employees, clients, outside vendors, and other businesses. Use of the internet, however, must be tempered with common sense and good judgment.

If you abuse your right to use the Internet, it will be taken away from you. In addition, you may be subject to disciplinary action, including possible termination, and civil and criminal liability.

### Disclaimer of Liability For Use of Internet

Tributary Staffing is not responsible for material viewed or downloaded by users from the internet. The

internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an email address on the internet may lead to receipt of unsolicited email containing offensive content. Users accessing the internet do so at their own risk.

### Duty Not To Waste Computer Resources

Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

### No Expectation of Privacy

The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to the Company and may only be used for business purposes.

### Monitoring Computer Usage

The Company has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the internet, and reviewing email sent and received by users.

### Blocking of Inappropriate Content

The Company may use software to identify inappropriate or sexually explicit internet sites. Such sites may be blocked from access by Company networks. In the event you encounter inappropriate or sexually explicit material while browsing on the internet, immediately disconnect from the site, regardless of whether the site was subject to company blocking software.

### Prohibited Activities

Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or violative of Tributary Staffing's equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the internet or displayed or stored on computers. Employees encountering or receiving this kind of material should immediately report the incident to Tributary Management. The Company’s equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the internet and any violation of those policies is grounds for discipline up to and including termination.

### Games and Entertainment Software

Employees may not use the Company's internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the internet.

### Illegal Copying

Employees may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy.

### Virus Detection

Files obtained from sources outside the Company, including storage devices brought from home; files downloaded from the internet, newsgroups, bulletin boards, or other online services; files attached to email; and files provided by clients or vendors may contain dangerous computer viruses that may damage the Company's computer network. Employees should never download files from the internet, accept email attachments from outsiders, or use storage devices from non-Company sources, without first scanning the material with Company-approved virus checking software.

### Sending Unsolicited Email (Spamming)

Without the express permission of Tributary or Client Management, employees may not send unsolicited email to persons with whom they do not have a prior relationship.

Amendments and Revisions

This policy may be amended or revised from time to time as the need arises. Users will be provided with copies of all amendments and revisions. Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability. Use of the internet via Tributary Staffing's computer system constitutes consent by the user to all of the terms and conditions of this policy.

## **8. EMPLOYER INFORMATION AND PROPERTY**

The protection of Tributary Staffing business information, property and all other Company assets are vital to the interests and success of the business. Tributary Staffing related information or property, including without limitation, documents, files, records, computer files, equipment, office supplies or similar materials may not be removed from the premises. In addition, when an employee separates from Tributary Staffing, the employee must return all related information and property that the employee has in his/her possession. Violation of this policy is a serious offense and may result in disciplinary or legal action.

## **9. USE OF COMPANY EQUIPMENT AND COMPUTER SYSTEMS**

The Company provides supplies, materials and equipment necessary for you to perform your job. These items are to be used solely for Company's purposes. Employees are expected to exercise care in the use of Company equipment and property and use such property only for authorized purposes. Loss, damages or theft of Company property should be reported at once. Negligence in the care and use of Company property may be considered grounds for discipline, up to and including termination.

The Company's equipment, such as telephone, postage, facsimile, printer, computer and copy machines, is intended to be used for business purposes. An employee may use this equipment for non-business purposes occasionally without charge. Personal usage of these or other equipment that results in an expense to the Company should be reimbursed if it exceeds $10.00 in a sixty-day period.

Upon termination of employment, the employee must return all Company supplies, materials, equipment, work product and documents in his or her possession or control.

### Use of the Company Computer System

It is the policy of Tributary Staffing that the use of its computers and software is limited to appropriate business use. Employees are strictly forbidden from installing software on the system. Further, this policy reaffirms that the Company's employees have no reasonable expectation of privacy with respect to any computer hardware, software, electronic mail or other computer or electronic means of communication or storage, whether or not employees have private access or an entry code into the computer system. The Company reserves the right to monitor the use of its computer system.

The use of the computer system and network for personal projects should occur outside of business hours. Also, because of the heavy load on the system, these outside projects will not receive priority over late evening operational requirements, system maintenance, or file back-up.

**10. COMPANY TELEPHONE AND PERSONAL MOBILE PHONE USE**

Although Tributary Staffing realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that employees will not use their personal mobile phones during regular business hours and that all personal communication will be kept to off hours and breaks. The Company will not be liable for the loss of or damage to personal property brought into the workplace.

## **11. INTERNAL INVESTIGATIONS AND SEARCHES**

From time to time, Tributary Staffing may conduct internal investigations pertaining to security, auditing or work-related matters. Employees are required to cooperate fully with and assist in these investigations if requested to do so.

Whenever necessary, in the Company's discretion, work areas (i.e., desks, file cabinets, etc.) and personal belongings (i.e., brief cases, handbags, etc.) may be subject to a search without notice. Employees are required to cooperate.

The Company will generally try to obtain an employee's consent before conducting a search of work areas or personal belongings, but may not always be able to do so.

**12. REFERENCE CHECKS**

Should an employee receive a written or verbal request for a reference, he/she should refer the request to Tributary Management for processing. No Tributary Staffing employee may issue a reference letter to any current or former employee without Management’s consent.

In response to an outside request for information regarding a current or former Tributary Staffing employee, a member of Management will furnish or verify an employee's relevant information.

## **13. SMOKING POLICY**

In order to comply with government regulations including the Utah Indoor Clean Air Act, Tributary Staffing (as well as Client locations) has prohibited smoking throughout its workplace and within 25 feet of any entrance.

No smoking or other use of tobacco products (including but not limited to; cigarettes, pipes, cigars, snuff, chewing tobacco, or vaping) is permitted in any part of the building or in vehicles owned, leased, or rented by Tributary Staffing. Employees may smoke outside and at least 25 feet from any door or ventilation system. Smoking should occur during regular breaks or lunch. Additional “smoke breaks” are not permitted.

In addition, Tributary Staffing employees should conform to the smoking or tobacco use policies of the respective Client location (including inside Client vehicles)

**E. SEPARATION FROM TRIBUTARY STAFFING**

## **RESIGNATION**

When an employee decides to leave for any reason, a member of Management would like the opportunity to discuss the resignation before final action is taken. Tributary Staffing often finds during this conversation that another alternative may be better. If, however, after full consideration the employee decides to leave, it is requested that the employee provide the Company with a written two-week advance notice.

## **TERMINATIONS**

Employment with the Company is at-will, unless otherwise specified in a written employment agreement signed by the President. This means employment with the Company is not for any specified period and may be terminated by you or the Company at any time, with or without cause or advance notice. In connection with this policy, the Company reserves the right to modify or alter your position, in its sole discretion, with or without cause or advance notice, through actions other than termination, including demotion, promotion, transfer, reclassification or reassignment.

In addition, the Company reserves the right to exercise its managerial discretion in imposing any form of discipline it deems appropriate. No person other than the President of the Company has the authority to enter into an agreement contrary to this statement. To be valid, such agreement must be specific, in writing and signed by the President of the Company and you.

## **IMMEDIATE DISMISSALS / MISCONDUCT**

Any employee whose conduct, actions or performance violates or conflicts with Tributary Staffing's policies may be terminated immediately and without warning. The following are some examples of grounds for immediate dismissal of an employee:

* Breach of trust or dishonesty
* Willful violation of an established policy or rule
* Falsification of Company records (including timecards)
* Gross negligence
* Insubordination
* Unauthorized absence from duty during regularly scheduled work hours (disappearing)
* Deliberate non-performance of work
* Larceny or unauthorized possession of, or the use of, property belonging to another
* Possession of dangerous weapons on Tributary and/or Client premises
* Unauthorized possession, use or copying of any records (Tributary Staffing and/or Client)
* Excessive absenteeism or tardiness
* Marring, defacing or other willful destruction of supplies, equipment or property
* Fighting or serious breach of acceptable behavior
* Violation of Company policies
* Sleeping on duty

This list is intended to be representative of the types of activities that may result in disciplinary action. It is not exhaustive, and is not intended to be comprehensive and does not change the employment-at-will relationship between the employee and the Company.

## **DISCIPLINE OTHER THAN IMMEDIATE TERMINATION**

All employees are expected to meet Tributary Staffing's standards of work performance. Work performance encompasses many factors, including attendance, punctuality, personal conduct, job proficiency and general compliance with policies and procedures.

If an employee does not meet these standards, the Company may, under appropriate circumstances, take corrective action, other than termination.

The intent of corrective action is to formally document problems while providing the employee with a reasonable amount of time to improve performance. The process is designed to encourage development by providing employees with guidance in areas that need improvement such as poor work performance, attendance problems, personal conduct, general compliance with the Company's policies and procedures and/or other disciplinary problems.

## **POST RESIGNATION / TERMINATION PROCEDURES**

Tributary Staffing is always looking for ways to better our understanding of employee turnover. We welcome the opportunity to talk to you about the reasons behind your decision to leave the Company. Feel free to contact any member of Tributary Staffing Management to discuss your personal situation.

It is the employee’s responsibility to return any Tributary Staffing or Client equipment on or before the last day of employment.

**RECEIPT AND ACCEPTANCE**

I hereby acknowledge receipt of the Tributary Staffing Temporary Employee Handbook. I am aware that the handbook is available via email or by printed copy. I have chosen the: (initial the version you desire)

Email Version \_\_\_\_\_\_\_\_ Email Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Copy \_\_\_\_\_\_\_\_

I understand that it is my continuing responsibility to read and know its contents. I also understand and agree that the Temporary Employee Handbook is not an employment contract for any specific period of employment or for continuing or long‐term employment. Therefore, I acknowledge and understand that unless I have a written employment agreement with Tributary Staffing that provides otherwise, I have the right to resign from my employment with Tributary Staffing at any time with or without notice and with or without cause, and that Tributary Staffing has the right to terminate my employment at any time with or without notice and with or without cause.

I have read, understand and agree to all of the above. I have also read and understand the Tributary Staffing Temporary Employee Handbook.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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