



Employee Handbook

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I. INTRODUCTION

Welcome

Thank you for joining the Bieler Janitorial Services team. Take pride in the fact that you are now a part of one of the fastest growing, highest quality janitorial service companies in Western New York. Established in 1954, Bieler Janitorial Services, Inc., fills a need for quality janitorial services to: private schools, colleges, medical/dental offices, manufacturing companies, automotive dealerships, banks, offices, and many other types of commercial buildings.

You will find the experienced, local supervision and ownership of Bieler Janitorial Services to be a benefit unmatched by many other commercial janitorial services in this area. Employees like you help make our company successful and capable of giving the highest quality service to our customers.

Company Overview

Bieler Janitorial Services is known for its reputation of quality and its ability to exceed customers' expectations. With local ownership and operation, our employees can truly guarantee an instant response time. Our reputation depends on it.

What sets us apart from other janitorial service providers is our personal touch. We partner with our clients and customize our services to meet their needs.

Bieler Janitorial Services assumes total responsibility for janitorial service with an emphasis on quality, value and service. Quite simply, we bring more to the table:

- Emphasis on high quality, value and level of service.
- Knowledgeable, courteous, supervised staff
- Complete customer satisfaction.

Our Mission

Bieler Janitorial Services' mission is to provide the highest quality service to our valued customers.

Our Values

These values characterize the intrinsic personality of our organization. They are a fundamental set of beliefs that govern the way we approach our customers, prospects, and employees. Every employee will adhere to and demonstrate these values on the job every day.

Our Core

Commitment

Continuous Improvement

Willingness to Change

Build Relationships and Partnerships

Philosophy

Bieler Janitorial Services needs your help in making each work day as satisfying and rewarding as possible. Your first responsibility is to know your own duties and how to do them properly, safely, correctly and pleasantly. Secondly, you are expected to cooperate with management and your fellow employees, and maintain a good team attitude.

How you interact with your fellow employees and those who Bieler Janitorial serves, and how you accept direction, can affect the success of the service we provide in the buildings you clean. In turn, the performance of one employee can impact the entire service offered by Bieler Janitorial. Consequently, whatever your position, you have an important assignment: *perform every task to the very best of your ability.*

About this Handbook

This Employee Handbook contains information about the employment policies and practices of Bieler Janitorial Services. We expect each employee to read carefully and understand this Employee Handbook, as it is a valuable reference for understanding your job and Bieler Janitorial. The policies outlined in this Employee Handbook should be regarded as management guidelines only, which in a developing business will require changes from time to time. Bieler Janitorial retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and Bieler Janitorial. This Employee Handbook supersedes and replaces any and all prior verbal or written policy statements.

Bieler Janitorial Services complies with federal and state law and this handbook generally reflects those laws. Bieler Janitorial also complies with any applicable local laws, even though there may not be an express written policy contained in the handbook.

Except for the policy of at-will employment, Bieler Janitorial reserves the right to revise, delete and add to the provisions of this Employee Handbook at any time without notice. All such revisions, deletions or additions to the Employee Handbook must be in writing and must be signed by the President of Bieler Janitorial. No oral statements or representations can change the provisions of this Employee Handbook.

The provisions of this Employee Handbook are not intended to create contractual obligations with respect to any matters it covers. Nor is this Employee Handbook intended to create a contract guaranteeing that you will be employed for any specific time period. Any agreement to employment for a specified period of time will be put into writing and signed by the President of Bieler Janitorial.

Due to the possibility of human or mechanical error as well as other factors, Bieler Janitorial reserves the right to correct any errors or omissions in the handbook. In the event an error is found, related laws, plan documents and/or common practices of Bieler Janitorial will prevail. In the event that a provision in this handbook is in conflict with a federal, state or local law or regulation, the appropriate law or regulation will prevail, and the provision in this handbook shall be deemed amended to the extent necessary to comply with such law or regulation. Employees are responsible to read, understand and adhere to all policies contained in this handbook and all updates as distributed.

Nothing in this Employee Handbook is intended to unlawfully restrict an employee's right to engage in any of the rights guaranteed them by Section 7 of the National Labor Relations Act, including but not limited to, the right to engage in concerted protected activity for the purposes of their mutual aid and/or protection. Nothing in this Employee Handbook will be interpreted, applied or enforced to interfere with, restrain or coerce employees in the exercise of Section 7 rights.

This employee handbook may not describe every instance and circumstance that may occur during employment. If you have any questions about a particular situation, please contact the President or his designee.

Note: For purposes of this Handbook, Bieler Janitorial Services may be referred to as Bieler Janitorial, Bieler, or The Company.

Employment At-Will

Bieler Janitorial Services follows the practice of “employment-at-will.” This handbook is not a contract and is not to be construed to form a contract or a warranty of benefits. This handbook merely describes Bieler Janitorial’s general philosophy concerning policies and procedures. Your employment with Bieler Janitorial is voluntarily entered into and you are free to resign at any time. Similarly, Bieler Janitorial is free to conclude its employment relationship with you at any time, with or without notice, with or without cause, or for no reason at all. Further, at-will employment also means that Bieler Janitorial may make decisions regarding other terms of employment with or without cause or advance notice.

Although we hope that our relationship shall be long and mutually beneficial, it should be recognized that no employee has a contractual right, express or implied, to remain an employee of Bieler Janitorial.

No manager, supervisor, or employee of Bieler Janitorial has any authority to enter into an agreement for employment for any specific period of time or to make an agreement for employment other than at-will. Only the President of Bieler Janitorial has the authority to make any such agreement and then only in writing.

Equal Employment Opportunity

Bieler Janitorial provides equal employment opportunity to all applicants and employees without regard to race, color, gender, age, disability, religion, creed, national origin, genetic predisposition, marital status, sexual orientation, political belief or activity, veteran status, victims of domestic violence or any other status protected by law.

The policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, benefits, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws.

It is the policy of Bieler Janitorial to comply with all the relevant and applicable provisions of the Americans with Disabilities Act (ADA). Bieler Janitorial will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. Bieler Janitorial will make reasonable accommodation wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made do not require significant difficulty or expense.

You must notify the President or his designee of your need for an accommodation. Upon doing so, a member of management may ask you for your input on the type of accommodation you believe may be necessary and the functional limitations caused by your disability. Additionally, when appropriate, Bieler Janitorial may request your written authorization to obtain additional information from your physician or other medical or rehabilitation professionals to verify your need for an accommodation.

Equal employment opportunity and compliance with the Americans with Disabilities Act are reflected in all of Bieler Janitorial's practices and policies regarding hiring, training, promotions, transfers, rates of pay, layoff, and other forms of compensation. All matters relating to employment are based upon ability to perform the job, as well as dependability and reliability once hired. In addition, Bieler Janitorial will not use the services of any placement agency known to discriminate in its referrals on the basis of any of the characteristics mentioned above.

II. EMPLOYMENT POLICIES

Prohibited Harassment

Bieler Janitorial prohibits harassment of one employee by another employee, supervisor or third party for any reason including, but not limited to: race, creed, color, national origin, sexual orientation, sex, age, disability, genetic predisposition or carrier status, marital status, veteran status, domestic violence victim status and any other status protected by law. Harassment of third parties by our employees is also prohibited.

The purpose of this policy is to assure that in the workplace, no employee harasses another for any reason. Any harassment based on protected status is illegal and will not be tolerated at Bieler Janitorial.

While it is not easy to define precisely what harassment is, it includes but is not limited to:

- Verbal harassment such as epithets (nicknames and slang terms), derogatory comments or slurs, threats, unwelcome jokes and teasing;
- Physical harassment, such as assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual;
- Visual forms of harassment, such as derogatory posters, cartoons or drawings;
- Any other conduct that may create an offensive work environment.

Sexual Harassment

Sexual harassment of one employee by another employee, supervisor or third party is against company policy and is unlawful under state and federal law.

While it is not easy to define precisely what sexual harassment is, it includes but is not limited to:

- Repeated and/or unwelcome sexual advances, flirtations, propositions or requests for sexual favors;
- Verbal or graphic conduct of a sexual nature including but not limited to: sexually-related drawings, pictures, objects, jokes, teasing, or descriptions, or other sexually-related comments;
- Physical conduct of a sexual nature including but not limited to: uninvited touching, leering, whistling or obscene gestures.
- Verbal or physical conduct of a sexual nature in which the employee's submission to, or rejection of this conduct is used as the basis for employment decisions, or unreasonably interferes with the employee's work performance by creating a hostile work environment;
- Any other sexual conduct that may create an offensive work environment.

Reporting Harassment or Sexual Harassment

Any employee who feels that (s)he is being harassed should immediately report the facts of the incident(s) and the name(s) of the persons involved to the Vice President. If the employee does not feel comfortable reporting to this person, or they are a part of the harassing or they have not gotten back to the employee within five (5) days, the employee should then report the incident to the President.

Bieler Janitorial will investigate all claims and take appropriate corrective action. Any employee, supervisor or agent of Bieler Janitorial who has been found to have harassed or sexually harassed another employee or a third party may be subject to appropriate disciplinary action, up to and including immediate termination of employment, and may be subject to personal legal and financial liability.

There will be no retaliation or adverse action taken against an employee who, in good faith, report violations of this policy or participate in the investigation of such violations.

Finally, a false accusation of harassment or sexual harassment can, in and of itself, have a serious adverse effect on those who are wrongly accused. Therefore, all employees are expected to act responsibly in helping Bieler Janitorial maintain a workplace that is free from harassment and sexual harassment.

Immigration Act Requirements

In compliance with the federal Immigration Reform and Control Act of 1986 (IRCA), as amended, Bieler Janitorial is committed to employing only individuals who are authorized to work in the United States. 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. If an employee is authorized to work in this country for a limited period of time, the individual will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by Bieler Janitorial.

Customer Relations

The success of Bieler Janitorial depends on the quality of the relationship between our company, our employees, our customers, and the general public. Our customers' impressions of Bieler Janitorial Services and their interest and willingness to stay with us is greatly formed by the people who serve them. In a sense, regardless of your position, *you* are a Bieler Janitorial Ambassador. The more goodwill you promote, the more our customers will respect and appreciate you and Bieler Janitorial Services.

Below are several things you can do that help give customers a good impression of Bieler Janitorial Services. These are building blocks for our continued success.

1. Act in a professional manner, and treat customers with courtesy and respect.
2. Communicate pleasantly and respectfully with other employees and customers at all times.
3. Follow up on customer requests and questions promptly, provide businesslike replies, and perform all duties in an orderly manner.
4. Take great pride in your work, and enjoy doing your very best.

Standard of Conduct

The work rules and standards of conduct for Bieler Janitorial Services are important, and The Company regards them seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting company business. Please note that any employee who deviates from these rules and standards will be subject to disciplinary and corrective action, up to and including termination of employment.

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action, up to and including termination of employment:

- Theft of inappropriate removal or possession of company or client property.
- Falsification of hiring or timekeeping records.
- Working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace.
- Fighting or threatening violence in the workplace.
- Boisterous or disruptive activity in the workplace.
- Negligence or improper conduct leading to damage of company-owned or client-owned property.
- Insubordination or other disrespectful conduct, including inappropriate language and/or dishonesty.
- Violation of safety rules.
- Smoking in the workplace.
- Bringing or allowing children, friends or family to the workplace while working. Only employees currently on Bieler payroll are allowed at work sites.
- Sexual or other unlawful or unwelcome harassment.
- Excessive absenteeism or any absence without notice.
- Unauthorized use of telephones, or other company/client owned equipment.
- Repeated and/or excessive personal cell phone use during work time.
- Using company equipment for purposes other than business.
- Unauthorized disclosure of proprietary information.
- Unsatisfactory performance or conduct.
- Working unscheduled timeframes, or times other than what is scheduled for a specific worksite.
- Wearing articles of clothing with offensive slogans, images or language, or showing tattoos with offensive language or images while working on company time and at client facilities.

Ethics and Conflict of Interest

Ethics

Employees are expected to use good judgment, adhere to high ethical standards, and avoid situations that create an actual or perceived conflict between their personal interests and those of the company. Bieler Janitorial needs to know that the transactions employees participate in are ethical and within the law, both in letter and in spirit.

Bieler Janitorial recognizes that different companies have different codes of ethics. However, just because a certain action may be acceptable by others outside of Bieler Janitorial as “standard practice,” that is by no means sufficient reason to assume that such practice is acceptable at our company. There is no way to develop a comprehensive, detailed set of rules to cover every business situation. Whenever employees are in doubt, they should consult with their supervisor or the Vice President.

The successful business operation and reputation of Bieler Janitorial is built upon the principles of fair business practices and the ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of applicable Federal and state laws while refraining from any illegal, dishonest, or unethical conduct. Any possible violations of this policy must be reported to both the Vice President and the President. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including termination of employment.

Conflicts of Interest

Conflicts of interest may take many forms including but not limited to the acceptance of gifts from customers, competitors, vendors, or potential vendors of the organization. Gifts may only be accepted if they have a nominal retail value and only on appropriate occasions (for example, a holiday gift). Employees are cautioned not to accept any form of remuneration or nonbusiness-related entertainment, nor may employees sell to third parties any information, products, or materials acquired from the company.

Employees may engage in outside business activities provided such activities do not adversely affect the company or the employee’s job performance and the employee does not work for a competitor, vendor, or customer. Employees are prohibited from engaging in outside employment, or any other business undertaking (including starting his/her own janitorial service) that is competitive with the best interests of Bieler Janitorial. Employees may not use proprietary and/or confidential information for personal gain or to the company’s detriment, nor may they use assets or labor for personal use.

If an employee or someone with whom the employee has a close personal relationship has a financial or employment relationship with a customer, competitor, vendor, or potential vendor of the company, the employee must disclose this fact in writing to the Vice President. The company will determine what course of action must be taken to resolve any conflict it believes may exist. If the conflict is severe enough, Bieler Janitorial may be forced to ask the employee to tender his/her resignation. Bieler Janitorial has sole discretion to determine whether such a conflict of interest exists.

Employees are encouraged to seek assistance from the Vice President with any legal or ethical concerns.

Whistleblower Policy

Every manager or employee of Bieler Janitorial in the performance of their duties shall conduct themselves with honesty and integrity and observe the highest standards of business and personal ethics as set forth in the Ethics and Standards of Conduct policies.

Each employee is responsible to report any violation of federal, state, or local statute, ordinance or regulation that is likely to cause imminent risk of physical harm to persons or a hazard to public health or safety, a felony, or a violation of the Ethics and Standards of Conduct policies to the Vice President. Reports of violations will be kept confidential to the extent possible. No individual, regardless of their position with Bieler Janitorial, will be subject to any retaliation for making a reasonable and good faith claim; any employee who chooses to retaliate against someone who has reported a violation shall be subject to disciplinary action which may include termination of employment. Regardless, any claim of retaliation will be taken and treated seriously and irrespective of the outcome of the initial complaint, will be treated as a separate offense.

Confidentiality

Protecting our company's information is the responsibility of every employee and we all share a common interest in making sure it is not improperly or accidentally disclosed.

Company property includes not only tangible property, but also intangible property such as information. Proprietary information includes all information obtained by our employees during the course of their work. Employees of Bieler Janitorial will receive and have access to information that is confidential in nature to the organization, its customers, and vendors. This information includes but is not limited to research, strategic plans, personnel files, marketing data, formulas, and customer lists.

Employees are not to disclose any such information to (a) any other person in the organization unless there is a legitimate business reason for doing so, or (b) any person outside the organization unless management has expressly stated that the information can be disclosed to that person.

Nothing in this policy shall be interpreted or applied as limiting an employee's right to engage in protected concerted activity as provided by the National Labor Relations Act.

III. EMPLOYEE PAY AND HOURS

Employment Classifications

All employees are classified as either “exempt” or non-exempt”. This distinction is mandated and necessary by law. **Non-exempt** employees work on an hourly basis and are entitled to one and one-half (1½) times their regular base rate of pay when they work in excess of forty (40) hours in a regular workweek.

Exempt employees include staff whose duties and responsibilities allow them to be “exempt” from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws. If you are an exempt employee, you will be advised that you are in this classification at the time you are hired, transferred or promoted. Exempt employees are paid on a salary basis that isn’t subject to fluctuation based on hours worked.

In addition to the above categories, each employee will belong to one of the following employment categories:

Full-Time Employee

An employee who consistently works forty (40) hours in a regular workweek is considered a full-time employee.

Part-Time Employee

An employee who works less than forty (40) hours in a regular workweek is considered a part-time employee.

Overtime

Overtime occurs when an employee works more than forty (40) hours in a workweek. Employees who are eligible for overtime under the Fair Labor Standards Act and/or the New York State Labor Law will be paid one and one-half (1½) times their regular rate for time worked in excess of forty (40) hours, i.e., their normal full time workweek. If it is necessary for you to work overtime, you are expected to make reasonable efforts to cooperate as a condition of your continued employment. All overtime hours must be approved in advance by management.

Only actual hours worked count towards computing weekly overtime. Vacation time used and holiday time are not counted as work hours for purposes of calculating overtime.

Pay Period and Timesheets

Employees are paid weekly on Thursdays. New employees should be advised by management when they can expect to receive their first payroll check.

All employees must clock in and out to record their daily hours worked. This will be done through a telephone timekeeping system for which you will be provided detailed instructions. These time records are used to compute earnings and are kept as a permanent record. Each employee is responsible for accurate timekeeping. Falsifying or altering your own or another employee’s time record is a violation of policy and is grounds for termination.

Mandatory Deductions and Pay Errors

Bieler Janitorial is required by law to make certain deductions from your paycheck each time one is prepared, including your federal, state and local income taxes and your contribution to Social Security as required by law. These deductions will be itemized on your check stub. The amount of the deductions may depend on your earnings and on the information you furnish on your W-4 form regarding the number of dependents/exemptions you claim. Any change in name, address, telephone number, marital status or number of exemptions must be reported to management immediately, to ensure proper credit for tax purposes. The W-2 form you receive for each year indicates precisely how much of your earnings were deducted for these purposes.

Whenever court-ordered deductions are to be taken from your paycheck, you will be notified. Bieler Janitorial is legally bound to withhold the amount indicated in the garnishment order from the employee's paycheck. Bieler Janitorial will honor Federal and state guidelines, which protect a certain amount of an employee's income from being subject to garnishment.

If you believe that an improper deduction or pay error of any sort has been made to your wages, you should immediately report this information to your supervisor. If it is determined that a pay error has occurred, you will be promptly reimbursed if necessary and the pay error will be corrected. Bieler Janitorial will make a good faith commitment to comply in the future.

Meal Periods and Breaks

Employees who work a shift of less than six (6) hours are permitted a break of not more than 10 minutes during their shift. The timing of this break may be taken at the employee's own discretion. The employee is not permitted to leave the property of the building he/she is cleaning, but may step outside if desired. This 10-minute break is a paid break, and it is not necessary to be recorded in the timekeeping system.

Employees who work more than six (6) hours in a workday are entitled to a 30-minute unpaid meal break, which must be recorded in the timekeeping system. You are expected to take your full allotted time for lunch. You are requested not to perform any work during your regularly scheduled lunch period, unless specifically requested to do so by your manager. In that event, your lunch will be rescheduled or you will be paid for the time that you worked.

Attendance and Punctuality

Regular attendance and punctuality is an essential responsibility of each employee at Bieler Janitorial. It is very important to minimize unscheduled absences in order for each employee to contribute to the efficient operation of Bieler Janitorial.

Employees are expected to be at work at their assigned time of arrival, ready to work. If you are unable to report for work for any reason, call the office – 716-662-7038 – during business hours (Monday through Friday, 9 AM to 5 PM), at least four (4) hours BEFORE your scheduled shift. In the event of an emergency or it is before or after office hours, call one of the managers on your Emergency Phone Numbers card.

You are responsible for speaking directly with one of these people before the start of your shift. It is NOT acceptable to send a text message or email, or leave a message on their voice mail or the office voice mail, except in extreme emergencies. In the case of leaving a voice mail message, a follow up call must be made during business hours later that day.

In the event you are giving/switching hours with another employee, you MUST notify the office at least 24 hours BEFORE the switch for payroll purposes. The office MUST be notified of any time switches made. Employees are not to switch days of service without prior authorization from the office staff.

Personal issues requiring time away from your work, such as doctors' appointments should be scheduled during non-working hours whenever possible. If this is not possible, discuss the situation with your supervisor

Absences will be categorized by Bieler management as either authorized or unauthorized. Authorized absences include any absence for which you have requested off at least seven (7) days prior to your scheduled shift, any illness for which you can provide a doctor's note, or any verifiable instance of lack of transportation. Lack of transportation can be verified by providing our office with a copy of the estimate or bill from the auto service provider, or a receipt for auto parts. Authorized absences also include absence to take care of a family member (such as a minor child or elderly parent) for whom you are the sole caregiver, or absence to attend the funeral of a family member. Absence due to bad weather is only authorized if there is a travel ban anywhere between you and the facility you clean.

Unauthorized absences include absence to visit a friend or relative, whether at home or in the hospital, absence for an unverified illness or instance of car trouble, or absence to care for another person if there is another option for someone to care for them. Absence due to bad weather is unauthorized if there is no travel ban anywhere between you and the facility you clean.

You are expected to make every effort to be at work for your scheduled shift. Excessive absenteeism or lateness may result in disciplinary action and/or termination of employment.

An employee who fails to report to work without notification to his/her supervisor for a period of two (2) consecutive days/shifts will be considered to have voluntarily terminated their employment relationship with Bieler Janitorial.

Separation of Employment

Voluntary Termination/Resignation – It is expected that employees who voluntarily terminate their employment with Bieler Janitorial will give a two (2) week notice, in writing, to their supervisor to allow for an effective transition of responsibilities and return of company property.

Job Abandonment – An employee who fails to report to work for two (2) consecutive workdays, and fails to notify his/her supervisor of the reason for absence from work will be considered to have abandoned his/her job. The employee is deemed to have quit and will be terminated immediately.

An appeal may be made in writing to the employee's immediate supervisor. If it is determined that there were extenuating circumstances for the absence and failure to notify, the employee may be reinstated.

Layoff – There may be times that a position at Bieler Janitorial may need to be eliminated due to budgetary constraints. If an employee is subject to a layoff, Bieler Janitorial will make every effort to notify the employee as soon as practicable.

Involuntary Terminations – Termination of employment may be for any reason (e.g., misconduct, tardiness, absenteeism, unsatisfactory performance, etc.) or for no reason at all.

Any unused vacation time will not be paid out at termination. We encourage you to use your earned time off during your employment.

IV. Company Workplace Policies

Personnel Files

Bieler Janitorial is required by law to maintain and retain certain personal information about each employee. Since personnel files contain information of a personal and private nature, these files are kept secure at all times and have limited access. All personnel files are the property of Bieler Janitorial. Files may not be removed from the main office and no content from the files may be copied or memorialized in any way.

Bieler must maintain up-to-date information about you so we are able to remain in compliance with all federal and state laws and aid you and/or your family in matters of personal emergency. Changes in name, address, marital status and number of dependents should be provided to management promptly. Bieler Janitorial will not be responsible for any errors that may result from failure of any employee to update personal information.

Release of Employee Information

It is the policy of Bieler Janitorial to release only dates of employment and position held when information is requested by third parties. Additional employment related information will not be released without the written consent of the employee, unless it is required by law.

Performance Evaluations

Day-to-day interaction between you and your manager should give you a sense of how your manager perceives your performance. A performance evaluation may be conducted periodically, based on an employee's position at Bieler Janitorial. A review may also be conducted in the event of a promotion, change in duties and responsibilities or change in work performance.

Appearance and Dress Code

All employees represent Bieler Janitorial to customers, visitors and the general public. All employees shall be well groomed and dressed for a neat, clean overall appearance, and must wear closed-toed shoes with a non-slip sole. Based on the building you are working in, you may need to comply with that company's specific dress code policies, and you will be notified regarding this upon hire.

Wearing articles of clothing with offensive slogans, images or language, or showing tattoos with offensive language or images while working on company time and at client facilities is prohibited. If an employee's appearance is deemed inappropriate, the employee may be asked to return home to change, without pay.

Discipline

Bieler Janitorial sincerely tries to create an atmosphere of good business practices and all rules and performance standards are consistent with our desire to provide the best, safest, and most efficient workplace for all employees.

Where we find that individual action is inconsistent with that desire, appropriate disciplinary action will be taken. Infractions include, but are not limited to, extended breaks, falsifying company records (including timekeeping records), dishonesty, theft, misuse of company property, failure to cooperate with others (including supervisors, other employees and, most importantly, customers and outside contacts), absenteeism and/or tardiness, insubordination, physical violence or threats, breach of confidentiality, and violation of company policy.

Disciplinary action may include, but is not limited to, verbal warnings, written warnings or termination of employment. Bieler Janitorial does not guarantee that one form of discipline will precede another and the disciplinary action will depend on the specific and unique circumstances of each situation.

The above policy does not replace the “At-Will” status of Bieler Janitorial.

Safety

Safety can only be achieved through teamwork at our Bieler Janitorial. Each employee, supervisor and manager must practice safety awareness by thinking defensively, anticipating unsafe situations and reporting unsafe conditions immediately. Any injury at work – no matter how small – must be reported immediately to your supervisor, and an incident report must be completed.

To ensure your safety, and that of your co-workers, please observe and obey the following rules and guidelines:

1. Understand your job fully and follow instructions. Observe and practice the safety procedures established for the job you are performing. If you are not sure of the safe procedure, don't guess; ask your supervisor.
2. Notify your supervisor of any emergency situation. If you are injured or become sick at work, no matter how slightly, you must inform your supervisor immediately and an incident report must be completed.
3. An employee should not attempt to treat his/her own injuries, nor should anyone attempt to treat or move an injured co-worker.
4. Observe smoking regulations and ensure proper disposal of cigarettes.
5. The use of alcoholic beverages or illegal substances during working hours will not be tolerated. The possession of alcoholic beverages or illegal substances on Bieler or customer property is forbidden.
6. Do not wear loose clothing or jewelry around machinery. Wear protective equipment (safety glasses, masks, gloves, hair nets, etc.) when required. Wear hard-soled shoes and appropriate clothing.
7. Do not operate machines or equipment until you have been properly instructed and authorized to do so. Keep machine guards in their intended places. Shut down any machine before cleaning, repairing or leaving.
8. Know proper lifting procedures and get help when lifting or pushing heavy objects. Do not attempt to lift any objects over 40 pounds. Instead, inform a manager or leave a note for the customer if you are unable to move or remove a heavy object.

9. Know the locations, contents and use of first aid and firefighting equipment, and ensure this equipment is not blocked by materials, garbage or boxes.
10. Do not block fire doors, exits or aisles.
11. Do not tamper with electrical controls or switches.
12. Clean up spilled liquid, oil or grease immediately and following proper clean up procedures.
13. A violation of a safety precaution is in itself an unsafe act. A violation may lead to disciplinary action, up to and including discharge.

Equipment Policy

You are expected to demonstrate proper care when using and maintaining the company's property and equipment. No property or equipment may be removed from any work site or company premises without proper authorization from management. If you lose, break or damage any property or equipment, report it to your supervisor immediately. Bieler Janitorial reserves the right to request reimbursement for damaged or lost equipment in the cases of intentional, careless or repeated damage or loss. All company property and equipment must be returned to the company prior to or upon termination of employment.

Travel to Work Sites

Employees who hold jobs requiring regular driving to different work sites must have a valid driver's license and have auto liability coverage for bodily injury and property damage. You may want a special endorsement on your insurance for business use, as determined by your personal insurance agent.

Employees are expected to obey all traffic and safety laws and regulations in their travel to and from job sites. This includes the use of hands-free devices, avoiding distracted driving, and obeying all traffic rules.

Employees are not permitted, under any circumstances, to operate a personal vehicle on company business when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any personal vehicle on company business while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication or intoxication.

Company Vehicles

Some employees of Bieler Janitorial may be provided with a vehicle for business use according to the following guidelines.

1. Bieler Janitorial employees may not drive any business vehicle without prior approval. Before being approved to operate a company vehicle, an employee's driving records will be reviewed, with consent of the employee, and the existence of a valid driver's license will be verified. Employees approved to drive a company vehicle are required to inform Bieler Janitorial of any changes that may affect either their legal or physical ability to drive or their continued insurability.

2. Employees who drive a vehicle on company business must exercise due diligence to drive safely, and maintain the security of the vehicle and its contents. Employees are also responsible for any driving infractions or fines that occur as a result of their driving.
3. Employees are expected to obey all traffic and safety laws and regulations in their travel to and from job sites. This includes the use of hands-free devices, avoiding distracted driving, and obeying all traffic rules.
4. Employees must report any theft or malicious damage involving a company vehicle, regardless of the extent of the damage. Such reports must be made as soon as possible, but no later than 48 hours after the incident.
5. Employees are not permitted, under any circumstances, to operate a company vehicle when any physical or mental impairment causes the employee to be unable to drive safely. Additionally, employees shall not operate any company vehicle at any time while using or consuming alcohol, illegal drugs or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication or intoxication.

Company Credit Card Policy

From time to time, Bieler Janitorial provides company credit cards to employees who need to regularly purchase tools or supplies, or gasoline for company-owned vehicles.

The corporate credit card is not to be used for personal expenses. Misuse of a company-issued credit card will result in cancellation of the card. If the card is used for personal expenses, the employee will be required to pay for those personal expenses and any fines or fees associated with those charges. If a credit card holder does not oblige this policy, his/her card will be cancelled.

Credit card expenditures must be submitted with original receipts to the Office Manager as soon as possible after the purchase. Lost or stolen company-issued credit cards must be reported to the Office Manager immediately.

Quality Inspections

In order to ensure that our customers are receiving the highest quality service, and that our employees clearly understand our expectations for job performance, our management staff will perform regular quality inspections at most job sites. They will use an inspection form that has a standard outline for cleaning all areas of the building.

Upon completing an inspection, the inspector will leave a copy of the inspection form for you in your supply closet. Please make sure to review the inspection form so that you know if there is anything in your building that needs attention.

If the inspection of your building is unsatisfactory, the inspector will note that he/she will be returning within a week to ensure that all problem areas have been fixed. If a second inspection finds that problem areas have not been fixed properly, you may receive a written warning, which will be a permanent record in your employee file. A third unsatisfactory inspection may result in suspension or termination. Bieler Janitorial does not guarantee that all steps in this warning process will precede another and the disciplinary action will depend on the specific and unique circumstances of each situation.

If you receive an unsatisfactory inspection, and are unclear why, contact the supervisor who completed the inspection form, or contact the office to discuss it or to set up any additional training you may need.

Workplace Violence Prevention

Bieler Janitorial has zero-tolerance for workplace violence of any kind, in order to ensure a safe employment and business environment. Violent behavior of any kind or threats of violence either implied or direct, are prohibited at work and at any customer locations. Such conduct by an employee will not be tolerated.

Prohibited behaviors by a co-worker, supervisor or member of the public may include, but are not limited to: direct threats or physical intimidation; implications or suggestions of violence; stalking; possession of weapons of any kind on company property or at customer locations; assault of any form; physical restraint or confinement; dangerous or threatening horseplay; loud, disruptive or angry behavior or language that is clearly not part of the typical work environment; blatant or intentional disregard for the safety or well-being of others; commission of a violent felony or misdemeanor on company property, or; any other act that a reasonable person would perceive as constituting a threat of violence.

All employees have a responsibility to immediately report to their manager or another member of management any acts or threat of violence toward the employee or anyone else. In an emergency situation, workplace violence should be immediately reported to the police. Bieler Janitorial will investigate all complaints filed and will also investigate any possible violation of this policy of which we are made aware. Retaliation against a person who makes a complaint regarding violent behavior or threats of violence made to him/her is also prohibited.

An employee who exhibits violent behavior may be subject to criminal prosecution and shall be subject to disciplinary action up to and including termination of employment. Violent threats or actions by a non-employee may result in criminal prosecution.

Drug-Free Workplace

Bieler Janitorial is committed to providing a safe, healthy, and efficient working environment for all employees and those who do business with Bieler Janitorial, as well as protecting its reputation in the community. To help achieve this goal, this is a drug and alcohol free workplace.

Employees are prohibited from:

1. Possessing, distributing, selling, purchasing, transferring, manufacturing, or being under the influence of alcohol or drugs on company premises, customer premises, in company vehicles, while on company business or during any other work time;
2. Consuming alcoholic beverages while on company premises, customer premises, in company vehicles, while on company business or during any other work time; and
3. Abusing inhalants or prescription drugs or possessing prescription drugs that have not been prescribed for the employee by a physician.

Employees using prescription drugs according to a physician's instructions or using over-the-counter drugs for medicinal purposes are required to notify management regularly in the event such drugs would impair their physical, mental, emotional, or other faculties.

An employee who is observed or reported to be impaired or unable to perform his/her job in a safe or satisfactory manner will not be allowed to work and may be subject to reasonable suspicion drug/alcohol testing. A refusal to submit to drug/alcohol testing will result in immediate termination of employment.

Employees are encouraged to seek help for a drug or alcohol problem before it deteriorates into a disciplinary matter. If treatment necessitates time away from work, Bieler Janitorial shall grant the employee an unpaid leave of absence for the purpose of participating in a treatment program. An employee who successfully completes a rehabilitation program shall be reinstated in their former position or similar employee status, if work for which he or she is qualified exists.

Full compliance of this policy is a condition of employment. Any violation of this policy or refusal to submit to drug or alcohol testing is cause for disciplinary action, up to and including termination, and may be reported to the appropriate law enforcement officials.

Smoking

In compliance with the New York Clean Indoor Air Act (CIAA), Bieler Janitorial is a smoke-free facility. Therefore, it is the policy of Bieler Janitorial to prohibit smoking on all company premises in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." This policy also covers the use of electronic cigarettes.

The smoke-free workplace policy applies to:

- All employees.
- All areas of company buildings.
- All customer locations.
- All vehicles owned or leased by Bieler Janitorial.
- All visitors (customers and vendors) to Bieler Janitorial premises.
- All contractors and consultants and/or their employees working on Bieler Janitorial premises.

Employees and visitors who wish to smoke must therefore leave the building and use only designated outside areas that have appropriate smoking waste disposal receptacles. Employees are permitted to leave the building to smoke only during scheduled break times.

Employees who violate the smoking policy will be subject to disciplinary action up to and including immediate discharge.

Inclement Weather

Severe weather is to be expected during certain months of the year. Although driving may at times be difficult, when caution is exercised the roads are normally passable. Except in cases of severe storms, we are all expected to work our regular hours. Time taken off due to poor weather conditions while the business remains open is to be used as vacation time or is unpaid.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

If extreme weather conditions require closing of the building, you will be notified by management.

Cellular Phones

While at work, employees are expected to exercise the same discretion in using their personal cellular phones as is expected for the use of company phones. Employees are required to limit personal calls during the workday to those of urgent matters; all other personal calls should be made during non-work time, wherever possible, and friends and family members should be made aware of the company's policy. Flexibility will be provided in circumstances demanding immediate attention (emergency situations).

Computer and Internet Usage

This policy establishes rules governing employee use of company computer systems. An employee's improper use of Bieler Janitorial-provided Internet services can waste time and resources and create legal liability and embarrassment for Bieler Janitorial and the employee. Computer, internet and email use is for business purposes only and not intended for personal use during working time.

This policy applies to any Internet service that is:

- Accessed on or from Bieler Janitorial's premises;
- Accessed using company computer equipment or via company-paid access methods; and/or
- Used in a manner that identifies the individual with Bieler Janitorial.

General Guidelines

- All information, data, correspondence, files, etc. created or obtained in the course of business is Bieler Janitorial property and is confidential. It should be treated with care and stored in a safe and secure manner.
- Technology tools issued by Bieler Janitorial for employee use such as computers, printers and software programs are company property and should be treated with care.
- Bieler Janitorial information or data may not be stored on technology tools that are not company property without the express approval of management.
- No unauthorized or copyright materials including, but not limited to, documents, software, photographs and/or sound recordings are to be transmitted or copied electronically.
- Employees must keep in mind that how they express themselves on Bieler Janitorial e-mail and related technology systems is also a reflection on Bieler Janitorial, and employees will be held accountable for how they conduct themselves in this medium, consistent with company standards and expectations for behavior, conduct and professionalism.

Prohibited Activities

Employees are strictly prohibited from using Bieler Janitorial-provided Internet services in connection with any of the following activities:

- Engaging in illegal, fraudulent, or malicious conduct;
- Working on behalf of organizations without any professional or business affiliation with Bieler Janitorial;
- Sending, receiving, or storing offensive, obscene, or defamatory material;
- Annoying or harassing other individuals;
- Sending uninvited e-mail of a personal nature;
- Monitoring or intercepting the files or electronic communications of employees or third parties;
- Obtaining unauthorized access to any computer system; accessing or playing games, gambling sites or any other site that is for personal use;
- Using another individual's account or identity without explicit authorization;
- Accessing social networking sites such as blogs, Facebook and Twitter;
- Distributing or storing chain letters, jokes, solicitations, offers to buy or sell goods, or other non-business material of a trivial or frivolous nature.

The above list is not all-inclusive but is set as a guideline of activities that are prohibited by Bieler Janitorial.

Personal Use

Internet services are provided by Bieler Janitorial for employees' business use. Very limited or incidental use of internet services for personal, non-business purposes is acceptable. However, personal use must be infrequent and must not involve any prohibited activity (as stated above); or interfere with the productivity of the employee or his or her co-workers.

Employer Monitoring Rights

Employees should not expect privacy with respect to any of their activities using Bieler-provided Internet access or services. Bieler Janitorial reserves the right to review any files, messages or communications sent, received or stored on company computer systems.

Employees violating this policy are subject to discipline, up to and including termination of employment. Employees using Bieler Janitorial's computer system for defamatory, illegal or fraudulent purposes also are subject to civil liability and criminal prosecution.

Social Media

Social media is a broad category of online communication that includes, but is not limited to, Facebook, LinkedIn, MySpace, Twitter, YouTube, blogging sites, news forums and chat rooms. The purpose of this policy is not to restrict the flow of useful and appropriate information, but to minimize the risk to Bieler Janitorial and its employees. The company recognizes the growing importance of online social media networks as a communication tool and respects the right of employees to use these mediums during their personal time. Use of these mediums during company time or on company equipment, however, is prohibited unless authorized by a member of management. During working hours, employees are expected to focus on being productive in their job duties and shall minimize outside distractions.

Bieler Janitorial takes no position on an employee's decision to participate in the use of social media. However, it must be understood that you are responsible for what you post online and there are inherent risks when utilizing social media and networking. Online activity is traceable and can be viewed by a wide audience. It can have positive or negative effects on people and organizations.

Employees who choose to include work information on their personal profile may include information such as:

- Work information such as company name, job title, and job duties.
- Status updates regarding an employee's own job promotion.
- Personal participation in Bieler Janitorial's sponsored events, including volunteer activities.

In general, employees who participate in social media are free to publish their own personal information without censorship by Bieler Janitorial. Employees must avoid, however, posting information that could place the company at competitive or legal compliance risk.

If an employee chooses to identify him or herself as a Bieler Janitorial employee on any social media network, he or she must state in clear terms that the views expressed are the employee's alone and that they do **not** reflect the views of Bieler Janitorial. Employees are prohibited from acting as a spokesperson for Bieler Janitorial or posting comments as a representative of the company.

There are some types of information employees are not permitted to discuss or display online under any circumstances, including:

- Information that is confidential or proprietary to Bieler Janitorial, or to a third party that has disclosed information to Bieler Janitorial. For example:
 - Confidentiality of trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products or technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
 - Information that may be valuable to a competitor, including specific product information or pricing; embargoed company information such as launch dates, release dates, and pending reorganizations; and intellectual property such as drawings and/or designs, software, ideas, and innovation.
- Bieler Janitorial's logo on any social media network for commercial purposes without permission.
- Statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, associates or suppliers or that might constitute harassment or bullying.
- Statements, comments, or images referencing illegal drugs.
- Statements, comments, or images that threaten or discriminate against any race, religion, gender, sexual orientation, disability, national origin or any other protected class. Also, any communication that engages in personal or sexual harassment or remarks that would contribute to a hostile work environment (racial, sexual, religious, etc.), as well as any behavior not in agreement with Bieler Janitorial's general corporate policies.

Ultimately, you are solely responsible for what you post online. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects customers, suppliers, people who work on behalf of Bieler Janitorial or Bieler's legitimate business interests may result in disciplinary action up to and including termination.

Bieler Janitorial reserves the right to monitor the use of social media and networking sites during the workday. Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by management.

Nothing in this section shall be interpreted or applied as limiting an employee's right to engage in protected concerted activity as provided by the National Labor Relations Act.

V. BENEFITS & LEAVE OF ABSENCE

Vacation Time

Vacation time is provided to the employees of Bieler Janitorial to be used for vacation, sick days or personal time away from work for appointments or other purposes. Holiday time is provided separate from vacation days.

Regular full-time employees are eligible for one (1) week of paid vacation after one (1) year of employment. The maximum number of paid hours for a week of vacation is 40 hours, regardless if you average more than 40 hour per week throughout the year. Vacation time can be used in 8-hour increments.

Employees who work less than 40 hours per week are eligible for one (1) week of paid vacation after one (1) year of employment. The number of hours of vacation will be based on an average of the number of hours worked in the previous 12-month period. For example, if an employee works an average of 20 hours per week during the course of the first year of employment, he/she will be eligible for one week, or 5 days, of paid vacation time totaling 20 hours.

All vacation requests, whether paid or unpaid, must be in writing and must be submitted at least 30 days prior to the beginning of the vacation period. All vacation requests are subject to approval by management, and may be denied if the request would cause hardship to the company. A limited number of vacation requests can be approved in any given period, so ensure your request is submitted well in advance of any popular vacation time period. Vacation request forms are available at the office, and may be submitted to any member of the office staff.

Additional provisions:

- Vacation time will be awarded based on anniversary date of employment.
- Vacation time cannot be accumulated or carried over from year to year. All vacation time must be used within the period in which it was earned.
- Vacation time may not be used before it is earned (no advances).

Vacation time is paid at the employee's base rate of pay when the vacation time is taken. Vacation time is not counted as hours worked for the purposes of calculating overtime.

Holidays

The Bieler Janitorial main office will be closed on the following holidays:

- New Year's Day
- Memorial Day
- July 4th
- Labor Day
- Thanksgiving Day
- Christmas Day

For Office and Management Employees:

Bieler Janitorial will grant paid holiday time off to full time office and management employees after one (1) year of employment. Holiday pay will be calculated based on the employee's straight-time pay rate times the number of hours the employee would otherwise have worked on that day. Holiday pay is not counted as hours worked for the purposes of calculating overtime. To be eligible for holiday pay, employees must work the last scheduled day before the holiday and the first scheduled day after the holiday, unless on a scheduled vacation.

If a recognized holiday falls during an eligible employee's paid vacation absence, the absence for this day shall be credited to holiday pay instead of vacation time. For example, if the employee is on vacation over the Memorial Day holiday, the employee would not be charged for a vacation day for Memorial Day, and would instead receive regular holiday pay for that holiday.

Generally, if the holiday falls on a Saturday, the holiday will be observed on the Friday before the holiday, and if the holiday falls on a Sunday, the holiday will be observed on the following Monday.

For Janitorial Employees:

If a janitorial employee is required on a holiday, they will be paid time and one-half (1½) for the hours worked. If a janitorial employee chooses to work on a holiday when they have the option to work the day before or after the holiday instead, they will be paid straight time for that day. If the employee does not work on the holiday, he/she will not receive any pay.

Health Benefits

Once employees have met the appropriate eligibility requirements, they may be eligible to participate in the health insurance plans provided by Bieler Janitorial. Detailed information about each plan can be found in the plan documents maintained by management and the summary plan descriptions (SPDs). SPDs are the official documents regarding employee benefit plans and supersede all references to employee benefits in this manual.

Health Care Continuation Rights (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under Bieler Janitorial's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee, a reduction in an employee's hours or a leave of absence, an employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Bieler Janitorial's group rates plus a 2% administration fee. Bieler Janitorial provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Bieler Janitorial's health insurance plan. The notice contains important information about the employee's rights and obligations.

This policy is only a brief summary of the COBRA provisions of Bieler Janitorial's group health plan and does not fully explain all requirements. For a full explanation see management.

Disability Leave

Employees are eligible for short-term disability insurance after four consecutive weeks of full-time employment or 25 days of regular part-time employment in accordance with state law. Other employees may also be eligible for this insurance, depending on the employee's previous employer. This insurance is designed to provide income for you when you are absent from work for more than seven calendar days due to non-occupational illness, injury or pregnancy-related disability.

The benefits are calculated as a percentage of your salary up to a maximum each week, as specified by law, for up to 26 weeks.

The cost of this insurance is shared between Bieler Janitorial and the employee.

Employees must provide written notice including a doctor's certificate stating the nature of the disability and your expected date of return to work. When you are able to return to work, give at least one week's notice and include a doctor's certificate stating that you are medically able to perform the essential functions of your position.

We will make every effort to return you to the same or similar position you held prior to the disability leave, subject to our staffing and business requirements. Your continued absence from work beyond your disability (as determined by your physician) will be deemed a voluntary termination of your employment.

Disability insurance information may be obtained from management.

Workers' Compensation

On-the-job injuries are covered by our Workers' Compensation insurance policy. This insurance is provided at no cost to you. If you are injured on the job, no matter how slightly, report the incident immediately to your supervisor. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim. We ask for your assistance in alerting management to any condition that could lead to or contribute to an employee accident.

Bieler Janitorial will abide with all requirements set forth by the state's Workers' Compensation law and other applicable laws or regulations. We will not take any adverse action against an employee in retaliation for filing a Workers' Compensation claim.

The amount of benefits payable to you and the duration of payment depend upon the nature of your injury or illness. You will be taken to a nearby urgent care center or hospital if you cannot be treated on company premises.

Family and Medical Leave of Absence (FMLA leave)

Employees of Bieler Janitorial may be eligible for leave under the Family and Medical Leave Act (FMLA) after twelve (12) months of employment with at least 1,250 hours of service in the preceding twelve (12) month period. An employee must give advance notice of the need for FMLA leave, whenever possible. Please see Appendix A for the FMLA notice.

Up to twelve (12) weeks of leave in a 12-month period may be granted for:

- Birth of a child and in order to care for that child.
- The placement of a child for adoption or foster care and to care for that child.
- To care for a spouse, child or parent with a serious health condition.
- The serious health condition of the employee.
- A qualifying exigency related to a covered family member's active military duty or call to active military duty.

Up to twenty-six (26) weeks of leave in a single 12-month period may be granted:

- To care for an ill or injured covered service member (military caregiver leave).

A twelve (12) week leave entitlement may be taken during a 12-month period measured forward from the date of an employee's first occurrence of FMLA leave. A twenty-six (26) week leave entitlement may be taken during a single 12-month period measured forward from the date of an employee's first occurrence of FMLA leave. When necessary, intermittent FMLA leave may be taken in increments equal to four (4) hours.

Disability leave for an employee's serious health condition, including workers' compensation leave, will be designated as FMLA and counted toward the employee's 12-week entitlement.

The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave. During an employee's leave, health benefits will continue at the same level and under the same conditions. The employee will be returned to the same position or a position with equivalent status, pay, benefits and other terms and conditions of employment.

Once the need for leave has been identified, the proper forms will be sent to the employee. The employee may be requested to return information to Bieler Janitorial in order to designate the leave as FMLA. Once sufficient information is received, Bieler Janitorial will inform the employee if the leave will be designated as FMLA leave. The employee must not engage in other employment during an approved FMLA leave of absence. An employee who misrepresents the reason for FMLA leave or who engages in other employment during FMLA leave will be subject to disciplinary action up to termination. An employee who does not return to work on the date required may be asked to provide additional paperwork to substantiate the absence.

For more detailed information or to request a leave of absence, contact management.

Bereavement Leave

Full-time employees who are regularly scheduled to work 40 hours or more per week are eligible for up to two (2) unpaid workdays of bereavement leave in the event of a death in the immediate family, defined as a parent, spouse, child, sibling, grandparent, grandchild whether related by blood, marriage or adoption (including foster and step-relatives). This policy also covers same sex partners in a financially and emotionally committed relationship and the same sex partner's parent, child, sibling, grandparent and grandchild.

Eligible employees must request leave by notifying their supervisor prior to taking leave.

Jury Duty

It is your civic duty as a citizen to report for jury duty whenever called. Employees called for jury or witness duty will receive \$40 for the first three days of jury service. You must notify your supervisor within forty-eight (48) hours of receipt of the jury summons and bring in a copy of your summons in order to be compensated. Employees will only be paid the above amount for jury service if the service falls on one of their regularly scheduled work days. On any day or half-day you are not required to serve, you will be expected to return to work.

Employees are also given the necessary time off without pay to attend or participate in a court proceeding as a witness, in accordance with state law. Notify your supervisor of the need for witness leave as soon as possible.

Military Leave

In accordance with Uniform Services Employment and Reemployment Rights Act of 1994 (USERRA), Bieler Janitorial employees who perform service in the uniformed services (as defined by USERRA) are entitled to a military leave of absence. Upon receiving an assignment for military service, employees should promptly provide notice to their supervisor prior to going on military duty, unless precluded from doing so by military necessity.

Eligible employees who perform service in the uniformed services will be placed on unpaid military leave status for all days that they are engaged in such military service. Affected employees are not required to use annual leave in lieu of paid or unpaid military leave; however, they may elect to use accrued annual leave at their discretion.

When you return from service, Bieler Janitorial will make every effort to place you in the same or similar position you held prior to your leave.

Military Family Leave

Employees who average at least twenty (20) hours per week whose spouse is deployed during a period of military conflict and is on leave during this military conflict may request up to ten (10) days of unpaid leave to spend time with his/her spouse. To request military family leave, contact management.

Blood Donation Leave

Employees who work an average of at least twenty (20) hours per week will be given up to three (3) hours of leave in any 12-month period for donating blood. Employees must provide advance notice of their leave for donating blood to their supervisor. For nonexempt employees, time taken may be unpaid and not counted in overtime calculations.

Bone Marrow Donation Leave

Employees who work an average of 20 hours or more each week are eligible to receive up to 24 hours of unpaid leave to donate bone marrow. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Please provide your supervisor with written physician verification of the purpose and length of each leave. For more information regarding this leave, please see your supervisor.

Nursing Mother's Break Time

Bieler Janitorial will provide a reasonable amount of break time to accommodate a female employee's need to express breast milk for the employee's infant child during the three (3) years after the birth of the child. The break time should, if possible, be taken concurrently with other break periods already provided. Non-exempt employees should clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time generally will be unpaid in accordance with state law. Bieler Janitorial will also make a reasonable effort to provide the employee with the use of a room or other location in close proximity to the employee's work area, for the employee to express milk in private.

Employees should notify their supervisor to request time to express breast milk under this policy. Bieler Janitorial reserves the right to delay or postpone an employee's request for a lactation break by up to 30 minutes if the additional break time will seriously disrupt operations and in accordance with applicable law.

No provision of this policy applies or is enforced if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law or regulation. Anyone with knowledge of such a conflict or potential conflict should contact their supervisor.

Voting Leave

Bieler Janitorial believes that every employee should have the opportunity to vote in any state or federal election, general primary or special primary. Any employee whose work schedule does not provide him/her four (4) consecutive hours to vote while polls are open will be granted up to two (2) paid hours off in order to vote. Voting leave shall be taken at the beginning or end of your shift unless otherwise mutually agreed upon by the employee and Bieler Janitorial. Any additional time off will be without pay. Exempt employees may be provided additional time off with pay when necessary to comply with state and federal wage and hour laws.

Notify your supervisor of the need for voting leave two (2) to ten (10) days before the election. When you return from voting leave, you must present a voter's receipt to your supervisor as soon as possible.

Victims of Crime Leave

Bieler Janitorial will grant reasonable and necessary leave from work, without pay, to employees who are victims of a crime to attend or participate in legal proceedings pertaining to the crime. Affected employees must give Bieler Janitorial reasonable notice that leave under this policy is required. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour law.

Appendix A – Employee’s Rights and Responsibilities under FMLA

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- for incapacity due to pregnancy, prenatal medical care or child birth;
- to care for the employee’s child after birth, or placement for adoption or foster care;
- to care for the employee’s spouse, son, daughter or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee’s job.

Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

***The FMLA definitions of “serious injury or illness” for current servicemembers and veterans are distinct from the FMLA definition of “serious health condition”.**

Benefits and Protections

During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

***Special hours of service eligibility requirements apply to airline flight crew employees.**

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee’s job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and

a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer’s operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer’s normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer’s normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees’ rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee’s leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.



For additional information:
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627
WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division



WHD Publication 1420 - Revised February 2013

Receipt and Acknowledgement of Bieler Janitorial's Employee Handbook

I have this day received a copy of Bieler Janitorial's Employee Handbook. I understand that this handbook replaces any and all prior handbooks, policies and practices of Bieler Janitorial

I understand and agree that, other than the President, no manager, supervisor, or representative of Bieler Janitorial has any authority to enter into any agreement for employment other than at-will; only the President of Bieler Janitorial has the authority to make any such agreement and then only in writing.

I understand that, except for employment at-will status, any and all policies and practices may be changed at any time by Bieler Janitorial and Bieler Janitorial reserves the right to change my hours, wages and working conditions at any time. I understand that revised information may supersede, modify, or eliminate existing policies. Only the President of Bieler Janitorial has the ability to adopt any revisions to the policies in this handbook.

I understand and agree that nothing in the Employee Handbook creates, or is intended to create; a promise or representation of continued employment and that employment at Bieler Janitorial is employment at-will, which may be terminated at the will of either Bieler Janitorial or myself. Furthermore, I acknowledge that this handbook is not a contract of employment and is for informational purposes. I understand and agree that employment and compensation may be terminated with or without cause and with or without notice at any time by Bieler Janitorial or myself.

I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

I understand that this Employee Handbook refers to current benefit plans maintained by the company and that I must refer to the actual plan documents and summary plan descriptions as these documents are controlling.

I also understand that if a written contract is inconsistent with the Employee Handbook, the written contract is controlling.

If I have any questions regarding the content or interpretation of this employee handbook, I will bring them to the attention of my supervisor.

NAME (printed) _____

EMPLOYEE SIGNATURE _____

DATE _____

SUPERVISOR SIGNATURE _____

DATE _____

The signed copy of this form should be given to your supervisor and will be kept in your personnel file.

Receipt of Changes or Additions to Bieler Janitorial's Employee Handbook

I received a revised copy of the updated policies for my Employee Handbook. I understand that I am responsible for reading the updated and/or new policies, replacing them in my Employee Handbook with this revised version, and complying with the revised policies. The policies which have been updated and/or added to the Employee Handbook include:

If I have any questions regarding these policies, or the content or interpretation of any policy in the handbook, I will bring them to the attention of my supervisor.

NAME (printed) _____

EMPLOYEE SIGNATURE _____ DATE _____

SUPERVISOR SIGNATURE _____ DATE _____

The signed copy of this form should be given to your supervisor and will be kept in your personnel file.