



# Employment Policies

ALL DIVISIONS

2024 Season  
Rev. 03/06/2024

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# Introduction

This handbook is designed to help you succeed as a PK Contracting employee. It outlines policies and procedures that apply to you. This handbook is a guide to your benefits and rights, as well as your obligations and our expectations. We want you to understand our policies, procedures and expectations.

## Section 1: Employment

### COMPANY MANAGEMENT

Aden Shea is the President and is responsible for operations and carrying out company policies. Kurt Shea is the safety officer. Kevin Shea is the Vice President of Fleet and Equipment and the shop facilities director.

### AT-WILL EMPLOYMENT

The Company employs you on an at-will basis. At-will employment means that the Company can terminate your employment at its will for any reason or no reason, with or without cause, at any time, with or without advance notice or warning, and without any right of review outside the Company Handbook (except as provided by applicable statute). Nothing in this Employee Handbook or in any of the Company's policies and procedures is contrary to the "at-will" nature of employment.

This handbook does not cover all kinds of unacceptable conduct. The Company also may discipline or discharge an employee for any unacceptable conduct that is not covered by a specific rule or Company policy in this handbook.

No Company employee, supervisor, manager, or other representative has any authority to enter into any agreement for employment for any specified period of time or terminable for cause or to make any representation or to establish any policy or practice contrary to the "at-will" nature of employment at the Company. Only an agreement in writing signed by an employee and the President of the Company expressly and specifically for the purpose of changing the "at-will" nature of the employee's employment can modify the "at-will" employment relationship.

This Handbook replaces any prior policies, practices, and statements that the Company would employ any employee on other than an "at-will" basis.

### PROBATIONARY PERIOD

During the first 60 calendar days of employment for field, shop and yard personnel or the first 90 days of employment for office personnel, new employees will be evaluated to determine whether they can perform the required job functions satisfactorily and whether they fit in well with the Company work ethic. If an employee cannot perform said functions, employment will be terminated.

### ROAD WORKER EVALUATION POLICY

Road workers will be evaluated by both management and supervisory personnel continually throughout the season. Foremen will document the performance of crew members under their direction, noting strengths, weaknesses, attitudes, etc. Periodically throughout the year, foremen and management will meet to discuss the field staff.

### LAYOFF POLICY

The order of layoffs throughout the year, at the conclusion of MDOT Region / TSC work, and especially as the season draws to a close, will be based on the findings of the employee evaluation policy noted above. Seniority will play no role in the layoff selection.

### ROAD WORKER EMPLOYMENT POLICY

Initial and continued employment at PK Contracting as a road worker is, at a minimum, contingent upon an employee being willing and able to do all essential laborer aspects of the various jobs PK Contracting performs. This includes peeling tape, driving a coning truck and forklift, operating various pieces of hand equipment, setting and picking cones, assisting in striping layout / markout, handling striping materials, and various other activities. If an employee is unwilling or no longer able to perform these functions, thereby requiring other employees to do some of their work, PK Contracting may terminate said employee.

### REPORTING LOCATIONS

While employees may primarily work out of one division, at any time an employee may be called to work out of divisions in different parts of the State. PK Contracting will pay for lodging if an employee is needed for multiple days, and provide or pay for transportation if an employee is needed for only one day of work. Transportation and associated costs, except lodging, will be the responsibility of the employee if work is provided for more than one day.

## **LENGTH OF CONSTRUCTION SEASON & PRIMARY EMPLOYMENT REQUIREMENT**

The start and end of an employee's work season will be based on workload and the company's needs. Employees are to treat employment at PK as their primary job and not take on secondary work unless they have been laid off for the season. Secondary jobs cannot conflict with the demands of primary employment at PK.

## **DRUG TESTING**

### **a. Existing Employees**

Many jobs now require that all workers have record of passing a drug test within the prior 12 months. Therefore, all returning field employees (including those who work 12 months) need to have a drug test taken prior to the spring General Meeting. You can meet this requirement by participating in either of the two PK designated drug testing days at the PK office at no cost to you. Otherwise you will be required to take your test at Concentra at your own expense. PK Contracting will pay for randomly required NIDA drug screens. All employees are subject to testing.

### **b. Newly Hired Employees**

Newly hired employees will pay for their own drug screen as a condition of being hired.

## **PHYSICALS**

### **a. Existing Employees**

All full time road, shop, and yard employees are required to maintain a valid DOT Medical card at their own expense.

### **b. Newly Hired Employees**

To be hired for any position at PK Contracting, a new applicant must pay for, take and pass a DOT physical (including the above mentioned NIDA drug screen) and provide verification of passing to Human Resources

### **c. If an employee has a CDL A or CDL B, when they renew their DOT Medical card, it is their responsibility to complete the CDL Self-Certification form and provide that to the Michigan Secretary of State. That can be done online, by mail or in-person at any Secretary of State location.**

## **DRIVER'S LICENSES \***

### **a. Existing Employees**

All full time road, shop and yard employees are to pay for and maintain the designated up to date CDL license.

### **b. Newly Hired Employees**

To be hired in any road, shop or yard position, a new applicant must pay for and obtain a valid Michigan Chauffeur's license (CDL – C) and have a satisfactory driving record.

## **UPDATES TO LICENSES AND DOT PHYSICALS**

When you receive a new license and/or DOT Medical certification, you must provide both your Division Manager and Jessica in Human Resources a copy immediately.

## **IMPORTANCE OF MAINTAINING A GOOD DRIVING RECORD \***

Continued employment at PK Contracting requires the maintenance of a satisfactory driving record. All moving violations, drug or alcohol driving violations are reported to PK Contracting by the State of Michigan.

## **COMMERCIAL DRIVER'S LICENSE POLICY (CDL) \***

Driving vehicles owned by PK Contracting, Inc. requires a CDL license and many PK vehicles require a CDL-AX license. A CDL-C is required to be hired.

## **OBTAINING A CDL**

After February 7<sup>th</sup>, 2022, anyone wanting to obtain their CDL will be required to complete an "Entry Level Driver Training" (ELDT) program through an FMCSA approved training provider. Anyone trying to obtain a Hazardous endorsement, a Passenger endorsement or School Bus endorsement on their CDL for the first time will also need to complete an ELDT program. \*see Hazardous Endorsement for CDL

## **CDL TRAINING SCHOOL**

PK Contracting will be sending employees through CDL school to obtain their CDL-A. PK will pay the training program directly for the cost of the Employee's enrollment and training materials. Employees will not receive compensation for the time spent completing training. Restrictions and stipulations apply. See your Division Manager or Adam Thorman in Oxford for more information.

## **TUITION REIMBURSEMENT**

For anyone that obtains a CDL-A on their own, PK Contracting will provide a tuition reimbursement of 50% for the total cost of training (up to \$3,000). This reimbursement will be paid to the employee at \$100 a month and is subject to applicable withholdings. See Jessica for the Tuition Reimbursement agreement.

## **CDL ELIGIBILITY \***

Any of the following will disqualify you from obtaining a CDL:

- Inability to make the necessary certifications contained on the CDL Certification Form, BFS-103 (Appendix A of the Michigan Commercial Driver License Manual).
- Having a license from more than one state.
- A current suspension, revocation, denial, or cancellation of your license.
- Conviction of any six-point violation in the 24 months immediately preceding application.
- Conviction for operating a motor vehicle while impaired in the 24 months immediately preceding application.
- A suspension or revocation in the 36 months immediately preceding application.
- Suspensions for Failure to Appear in Court (FAC), Failure to Comply with a Judgment (FCJ), failure to appear for re-examination, financial responsibility, non-sufficient funds checks, and a suspension or revocation for a temporary medical condition do not disqualify an applicant for a CDL.
- Unless exempt, you need to comply with federal or state medical/physical requirements before receiving a CDL. When applying for your CDL, you will sign a statement that says all necessary medical/physical requirements have been met. Before taking any CDL skills tests, you must provide a valid medical examiner's card or medical waiver card to your examiner which allows you to operate your commercial motor vehicle.

## **HAZARDOUS ENDORSEMENT FOR CDL \***

All PK employees 21 years of age or older are required by PK to obtain the CDL Hazmat endorsement. A background check and finger printing are part of the application process.

The Michigan Hazmat Endorsement Step by Step Guide is as follows:

- Pass a Michigan ELDT course (for those applying for Hazmat for the first time)
- Complete the Hazmat application through the Michigan Secretary of State or TSA
- Pass the DMV written exam
- Undergo a TSO background check
- Complete a medical screening
- Submit a TSA Background Security Screening
- At this time, the cost to obtain the Hazmat Endorsement is the responsibility of the employee.

## **TANKER ENDORSEMENT FOR CDL**

All PK employees are required by PK to obtain their CDL Tank Endorsement. To add the endorsement to your CDL, you must pass a 20 question knowledge test. You must score atleast 80% (16 out of 20) to pass the tanker exam.

## **Section 2: General Notes**

### **EMPLOYEE PHONE NUMBERS**

1. Every employee must provide an active personal phone number for use on the company phone list. Failure to comply will result in loss of employment.
2. Notify Scheduling and Jessica immediately when you change your home or cell phone number
3. Provide an alternate phone# to use in the event you cannot be reached at your primary phone number
4. Give Jessica the name and phone number of atleast one person to contact in case of emergency

### **EMPLOYEE RELATIONS**

In our type of business, group camaraderie is an asset and promotes a positive working atmosphere. This light hearted nature should never include employees making any degrading remarks to one another or behind their backs. If you have any complaints, or see another employee acting in a manner not in the best interests of PK Contracting or in the best interests of a fellow employee, please bring it to Aden or your division managers attention directly.

### **DISCUSSIONS WITHIN THE MAIN OFFICE**

Situations which require field and shop personnel to come into the main office to have discussions with office personnel must be work related. While in the office all language must be appropriate and free of vulgarity.

### **SEARCHES AND INSPECTIONS:**

All offices, desks, file drawers, cabinets, lockers and any area on Company premises, along with all Company vehicles and Company equipment, including but not limited to computers, email, and voicemail, are the property of the Company ("Company Property").

Company Property is intended for business use. Employees should have no expectation of privacy with respect to Company Property and/or items stored within Company Property or on Company premises. In order to protect Company assets and ensure a safe workplace, inspection may be conducted at any time, without notice, at the discretion of the Company.

In addition, when the Company deems appropriate, employees may be required to submit to searches of their personal vehicles, parcels, purses, handbags, backpacks, briefcases, lunch boxes, or any other possessions or articles brought on to the Company premises.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy may not be permitted to enter the premises. All employees are expected to cooperate in an inspection.

Failure to comply with this policy may result in disciplinary action, up to and including employment termination.

## **Section 3: Attendance**

### **PUNCTUALITY**

Punctuality is vitally important. Starting time is the time you are expected to be actually working. Showing up and punching in earlier than scheduled without prior approval is not permitted. Just as important, it is imperative that all personnel show up on time and begin productively working as scheduled.

### **PERSONAL NEEDS**

Personal needs such as coffee, pop, breakfast, or socializing are to be taken care of before punching in.

### **POLICY IF YOU ARE CALLING IN OR WILL BE LATE FOR YOUR SCHEDULED SHIFT**

If you are unable to make it in to work, or are going to be late for your scheduled shift, call your Division Manager or the Scheduling office to let them know. A text message if calling in is not sufficient and will be considered a no call/no show. A text notification if you are going to be late, is not sufficient and may be subject to discipline. Failure to call in and simply not come to work cannot be tolerated. Repeated tardiness, even if calling in, will result in a reduced work schedule and may be considered as grounds for dismissal. If you are late and get a call from the office, answer the phone so the office person knows your situation.

### **NO CALL/NO SHOW POLICY**

Employees must report any absences to the Company in accordance with the attendance policy.

If an employee fails to begin work at their scheduled start time, and the employee fails to report their absence to the Company in accordance with the attendance policy, then the employee's absence is considered a "no call/no show" absence.

If an employee fails to report to work and fails to notify the Company of their absence for three (3) consecutive work days or more, then the employee is assessed three "no call/no show" absences, and the employee is considered to have voluntarily resigned from their employment.

Nonetheless, any instance of a "no call/no show" absence is a violation of this policy, which may result in disciplinary action, up to and including employment termination.

### **LUNCH BREAKS**

If a crew or an employee takes a lunch break, it is to be documented and not paid for.

First, it is expected that everyone eats lunch sometime during the day either at a restaurant, at their desk, in the shop, in their truck, or in the field on the job. A half hour will be allotted for lunch and will not count as on-the-job work time. We will handle the accounting of lunch periods as follows. Every hourly employee will punch in and out at the start of the day and end of the day as always. Our computer system will automatically deduct a half hour for lunch for all employees that work at least an eight-hour day. No deduction for lunch will be taken for days that are less than eight hours.

For road work, the timing and location of a lunch break will be determined by the foreman to best fit the jobs that are being worked on that day. Expect that the lunch break will be between 10am and 3pm and may be at a restaurant or on the job site. Foremen must indicate on their foreman reports if a lunch is taken by any employee. Therefore the lunch break most often will be deducted at the shop / drive rate and not at a job rate. As always, if an employee is not working for any period longer than a half hour for any reason, it is expected that the foreman's report will indicate that fact. The idea is a simple one. We expect to pay all employees for every hour that they work, but should not be expected to pay for time when an employee is not working.



## Section 4: Paid Time Off

Regular full-time, year-round employees are eligible for PTO; seasonal employees are ineligible for PTO.

Paid Time Off ("PTO") is an all-purpose time-off policy for eligible employees to use for vacation, illness, injury, and/or personal business.

Employees with less than 1 year with the company are eligible for 5 days (40 hours) of PTO which can be used at any time, regardless of season.

### **Christmas – New Year's Week**

Five days paid for all full time hourly and salaried employees who have worked 6 or more months and are in 12 month positions; five days unpaid with less than 6 months employment.

The vacation schedules below are in affect for FULL TIME, 12 month employees who have completed one full year of employment and are in one of the following three categories:

- Field Superintendents working 12 months per year, FULL TIME.
- Office, Shop and Yard personnel working 12 months per year, FULL TIME.
- Mechanics / yard superintendents working 12 months per year, FULL TIME.

### **DURING THE CONSTRUCTION SEASON (APRIL 1 – DECEMBER 31)**

- 1 week

### **DURING THE NON-CONSTRUCTION SEASON (JANUARY 1 – MARCH 31)**

- 1 week for employees with more than 1 year, but less than 5 consecutive years at PK
- 2 weeks for employees with 5-15 consecutive years of FULL TIME 12 month employment at PK
- 3 weeks for employees with 15 or more consecutive years of FULL TIME 12 month employment at PK
- Christmas vacation doesn't count in this computation.
- 

**PTO time must be taken in its allotted time period** - For those who qualify, in-season PTO time will be granted on a first-come first-served basis. Any in-season PTO requests for the current construction season can be submitted starting March 31. For road, shop and yard, a vacation week consists of 7 consecutive days and includes any holidays or weekends it contains. If your PTO request includes weekend days, those days will be deducted from your remaining PTO balance. There can be only one mechanic and only one foreman using PTO at the same time during the construction season. No two foreman who share the same specialty (Construction, poly, STP, etc.) can be off the same week. Time off will be approved on a first-come, first served-basis and is not based on seniority. Foreman can reference the Foremen Policies Handbook for further instructions.

**PTO request forms** – Anyone requesting vacation must complete a Vacation Request Form and then submit the form to the division manager for approval. Each division manager will keep track of vacation days. For the Troy Main Division vacation request forms are to be turned into Jessica or Caroline for office personnel; Division Managers for field personnel, and Kevin for shop and yard personnel. Caroline in Payroll will keep the company wide master vacation calendar. Last minute PTO requests cannot be guaranteed and are granted based on business needs.

**Memorial Day weekend, Fourth of July holiday and Labor Day weekend** - It will be necessary to have shop, yard, and mechanic coverage the day prior to work starting back up, as well as on any day in which road work is taking place. The number of personnel scheduled to work will be dependent upon the road schedule. The road schedule will be determined by the needs of our customers and prime contractors, and all employees need to be prepared to work as needed and cannot assume that these days and / or weekends will be free of road work.

**Days off for hunting season** - Will be determined based on Company workload. While it is not possible to grant every request, we will make every effort to accommodate hunters during the 15 day season.

**Thanksgiving** - Because our prime contractors are trying to finish up end of the season jobs which require our participation, Friday, Saturday and Sunday following Thanksgiving are considered potential work days for all employees. If necessary, office staff employees will be on duty from 8:00am to 12:45pm and from 12:45pm to 5:30pm

on Friday and Saturday. This schedule will be in effect unless pre-empted by bad weather. The road, yard and shop schedule will be as needed to satisfy our customer's demands.

#### **Unpaid Time off Requests**

During the construction season all road employees can request to be left off the schedule on any two days per month with a maximum of 6 days per season with the following two exceptions.

- a. The requested day off cannot extend a vacation.
- b. The requested day(s) may not be the day before or after a holiday as those days are often our busiest days.

No more than four non-foreman will be granted the same day off. This time off will be given on a first come, first served basis.

**If PTO is not used during the calendar year for which it was advanced, the PTO time may not be applied to any subsequent year. Employees do not receive payment in lieu of PTO not taken during the year or upon termination of employment.**

**PTO is not considered time worked for the purposes of overtime compensation.**

## **Section 5: Electronic Device Policy**

Critical to the safety of all road, shop and yard workers is the ability to receive and communicate instructions, move and maneuver quickly to avoid danger from vehicles or equipment, and recognize and respond to potentially dangerous job-site situations (job site includes any P.K. yard or shop as well as all road construction projects). All of this requires that every road, shop and yard worker be alert and attentive to their surroundings and not distracted by outside stimuli.

To ensure worker safety, PK Contracting prohibits employees from wearing earbuds, headphones (wired or wireless), or any other listening device that reduces a workers ability to hear while on the job site.

Employees are also prohibited from using Bluetooth, cell phone or any other speaker device to play music or any other form of broadcast on a road construction project. Employees must be able to hear all that is happening around them to ensure their safety and the safety of others.

- Foreman or other authorized personnel are permitted to use cell phones on the job. Any exceptions to this policy without management approval is prohibited.
- Employees are prohibited from using cell phones during working hours for personal business.
- Personal use of cell phones may be used during lunch breaks in a safe location.
- Employees who are authorized to call in, text or submit electronic reports must do so in a safe manner and never under circumstances where being distracted from the worksite might create a hazard for the employee or others on the site.

### **Michigan Distracted Driving Law**

Gov. Whitmer signed into law a bill making it illegal to manually use a cell phone or other mobile electronic device while operating a vehicle on Michigan roads. Under the law, a driver cannot hold or support a phone or other device with any part of their hands, arms, or shoulders.

Even if a cell phone or other device is mounted on your dashboard or connected to your vehicle's built-in system, you cannot use your hands to operate it beyond a single touch.

As a result, you cannot manually do any of the following on a cell phone or other electronic device while driving.

- Make or answer a telephone or video call.
- Send or read a text or email message.
- Watch, record, or send a video.
- Access, read, or post to social media.
- Browse or use the Internet.
- Enter information into GPS or a navigation system.

The law makes holding or manually using a cell phone or other mobile electronic device while operating a vehicle a primary offense—which means an officer can stop and ticket drivers for this violation.

### **Cell Phone Allowance**

The following provisions apply to employees who are provided a cell phone allowance. This allowance applies to phones purchased from and under Verizon contract only.

Eligibility for cell phone allowance will be determined by the Division Manager and Human Resources.

A one-time \$150 subsidy will be paid toward the purchase of a phone/contract plus \$75 phone allowance paid monthly thereafter for the months an employee works.

Employees are expected to have phones turned on to and from work

Phones are to be used while on duty and for business purposes only

Employees are to compose a professional voice mail greeting that includes the employee name and PK Contracting name.

PK does not provide phone accessories; clips, cases, chargers, etc.

## **Section 6: Social Media Policy**

### **Social Media**

We live in an electronic world and PK Contracting, Inc. understands that its employees have the right to use and participate in social media channels, blogs and other public online tools, personally and on their own time. Social media use on company time is prohibited and your responsibility to PK does not end when you are off the clock. This policy applies to all social media posts as it relates to PK Contracting, Inc.

Remember to be respectful and polite when using social media:

1. Employees may disclose their affiliation with PK Contracting, Inc.
2. Any references to PK must be clearly defined as your own and not result in any negative repercussions for PK and its affiliates.

Employees are prohibited from disclosing

1. Company information. Do not post pictures or provide any information about PK facilities, operations, equipment, employees, graphics, customers or materials.
2. PK Contracting, Inc. reserves the right to edit, amend or remove any social media content pertaining to PK Contracting, Inc.

Disciplinary action may be necessary leading up to and including termination for not following PK Contracting's social media guidelines. If you are unsure if information about PK can be shared on social media then don't share it.

## Section 7: Drugs, Alcohol & Smoking

Affecting all PK Contracting employees and its subcontractors.

The use of drugs and / or alcohol on the job, in Company vehicles, in the Company yard or offices, or in any satellite yard will not be tolerated. Reaction time and judgment deteriorate, endangering everyone's life. If you know of anyone needing help, bring it to the president's attention.

Drug screens will be conducted prior to the beginning of each work season. The tests will be conducted at a Company designated facility. A drug screen is also required as part of the pre-employment physical exam. During the work season random drug and alcohol testing will continue for all employees, office, shop, road and yard. Unannounced tests will be performed at the PK Yard or at collection centers.

PK Contracting and its subcontractors participate in a required DOT certified Random Drug and Alcohol testing program administered by an outside agency. As soon as the Company has been informed by the testing agency of a positive (failure) on any and all drug tests, the employee will immediately be suspended from work or terminated. From that point on, the Company is under no obligation to re-hire or restore employment status to the employee who failed the test. The Company, may however, at its sole discretion, re-hire or return to work status an employee after he or she successfully completes, at his / her own expense, the Company specified Substance Abuse Program and agrees to continued periodic random drug tests, at his / her expense, at intervals determined by the Substance Abuse Professional as part of that program. The employee will then have to sign a Last Chance Agreement.

Any employee who tests positive for drugs after undergoing a Substance Abuse Program will be immediately and unconditionally TERMINATED.

Per Federal Motor Carrier Safety Regulations, Part 382.303, if an employee driver is involved in a CMV accident, the Company is required to send its employee driver for a drug test (1) if there is a fatality, (2) if the employee receives a CITATION AND someone goes to the HOSPITAL for immediate treatment or, (3) if the employee receives a CITATION AND a vehicle is TOWED AWAY from the scene. A positive test is also immediate grounds for termination.

The Company may require a drug test whenever there is reasonable cause to do so. A positive test in such a case will make the employee subject to the policies described above.

Anyone involved in a confrontation where physical contact is made may be required to submit to a drug and alcohol test.

### SMOKING POLICY

There is NO SMOKING in any PK yard, office, around any fueling operation, or around any combustible materials. Smoking will be permitted only in specially designated areas at PK yard / office locations.

### Newly Hired Employees

To be hired for Road Work or Full Time Mechanic/Yard/Shop Positions, an applicant must:

1. Take and pass a DOT physical (which will include the State required NIDA drug screen) at the Company designated medical facility. Applicant will pay for these items. Passing these tests will result in being issued a current medical certificate.
2. To be hired for all positions other than road, yard or shop, all applicants will be required to take a non-DOT physical and drug test at the Company designated medical facility. Applicant will pay for these items.

### Probable Cause Testing

PK contracting, Inc. may require a drug test whenever there is reasonable cause to do so. A positive test in such a case will make the employee subject to the policies described above.

## **Section 8: Harassment**

Racial, sexual, ethnic, religious, age-related, or disability-related harassment is inappropriate and violates the Company's equal employment opportunity policy. Examples of prohibited harassment include: offensive verbal comments or insults and insulting pictures or gestures. The Company's anti-harassment policy prohibits harassment by any employee, including management personnel, any volunteer, any member, or any visitor or vendor, and it applies to harassment in the workplace and at off-site activities, such as, for example, the Company-sponsored events.

The Company specifically prohibits sexual harassment in the workplace and at off-site activities, such as, for example, the Company-sponsored events. Our employees have the right to work without sexual harassment by management personnel, co-workers, customers, visitors, or vendors. Examples of prohibited sexual harassment include: offensive sexual advances; unwelcome verbal comments of a sexual nature; unwelcome display of sexually suggestive objects or pictures in the workplace; and offensive physical conduct of a sexual nature.

No Company supervisor may threaten that an employee's refusal to submit to sexual harassment will negatively affect the employee's employment in any way. No Company supervisor may condone a hostile, intimidating, or offensive work environment caused by the sexually harassing actions of Company employees, management personnel, volunteers, members, visitors, or vendors.

An employee should report any prohibited harassment to his or her supervisor or another member of management. The Company will carefully investigate all employee complaints of prohibited harassment. We will respect the privacy of the complaining employee and the accused employee to the extent possible in the investigation.

Retaliating or discriminating against an employee because the employee has complained about any form of prohibited harassment or has been a witness in an investigation of any harassment complaint is unacceptable.

The Company will take prompt corrective action to remedy any confirmed harassment. The Company will discipline, up to and including discharge, an employee who has engaged in prohibited harassment. If you encounter any harassment from any person in the course of your employment, you should contact Kurt P. Shea immediately at (269) 385-3222. Claims of harassment will be investigated and disciplinary action will be taken where harassment has occurred.

## **Section 9: Problem Resolution**

Our employees should have a procedure in which concerns can be easily and quickly raised, reviewed by the Company, and promptly answered. That is why we have our Problem Resolution Procedure. We cannot resolve your concern unless you first tell us about it. No employee will be penalized, formally or informally, for voicing a complaint with the Company in a reasonable, businesslike manner or for using the problem resolution procedure.

An employee should start at Step 1, unless the employee is uncomfortable discussing a particular concern with the supervisor. Then the employee is free to start at Step 2. No employee will ever be penalized for bypassing Step 1.

### **STEP 1**

An employee should present the concern verbally or in writing to the supervisor:

- Why do you see this situation as a concern?

### **AND**

- How you want to resolve it?

The supervisor will investigate the concern and will promptly respond to the employee.

### **STEP 2**

If the concern is not resolved at Step 1, an employee should present the concern in writing to Aden Shea:

- You do not feel the concern was satisfactorily resolved at Step 1.

### **OR**

You are not comfortable addressing this particular concern with your supervisor. Aden will investigate the concern and will promptly respond to the employee.

## **Section 10: Health Insurance**

The Affordable Care Act (ACA) requires employers to offer plans which meet both design and affordability standards, or pay a penalty. PK Contracting offers plans which meets both standards. PK Contracting's plans comply with all health care standards such as preventative care covered at 100%, dependents eligible to age 26 without being a student and removal of lifetime limits.

Health insurance is available to all employees.

Health care will commence the first of the month following the completion of 30 days of employment.

Davis Bacon employees who enroll in PK Contracting's health plans will pay for their employee portion of health insurance using their fringe wages. \$9.00 per hour of Davis Bacon fringe benefits will go towards your health plan and not be taxed. Once an employee meets his or her contribution based on the plan selected, the \$9.00 fringe will be paid to the employee directly.

Non Davis Bacon employees who enroll in PK Contracting's health plan will pay for their employee portion of health insurance via pre-tax dollar payroll deduction.



## **Section 11: 401(k) Plan**

PK Contracting's 401(k) Plan is administered through John Hancock and is open to all employees 18 years of age and older who meet the eligibility requirements. Eligibility occurs after the completion of a minimum of 3 months with the company. Once the eligibility requirements are met, John Hancock will send paperwork and account set-up instructions via US mail. Once the employee sets up their online account, the employee can then select the desired level of participation. If you have any questions, the 401(k) administrator is Caroline Heyka.

For 2024, the contribution limit is \$23,000. If you are age 50 or older, you may make additional catch-up contributions of \$7,500.

PK will match the employee contributions dollar for dollar to 3%, then 50% to 5%. For example, if you contribute 5%, PK will match 4%.

You may make changes to your contribution amounts at any time through your John Hancock account.

## **Section 12: Family Medical Leave Act (FMLA)**

### **FAMILY MEDICAL LEAVE ENTITLEMENT**

The Company provides eligible employees up to 12 weeks of unpaid leave per 12-month period for certain family and medical reasons. The FMLA also entitles eligible employees to leave in certain circumstances related to a qualified family member's military service. The 12-month period is measured forward from the first date when an employee's leave begins.

### **EMPLOYEE ELIGIBILITY**

An employee is eligible if the employee has completed 12 months of employment and has completed 1,250 hours of service in the 12 months before the start of the leave.

Hours worked include overtime hours worked and time that an employee would have worked for the Company if not engaged in military service, but exclude paid time off (vacation days, medical leave days, holidays, and personal business days), leaves of absence and layoffs.

An ineligible employee cannot take family medical leave time, but may be entitled to time off under other Company policies.

PK Contracting's FMLA poster contains additional information about the FMLA. For questions regarding FMLA, you may also reach out to Jessica in Human Resources.

## **Section 13: Social Security Number Privacy**

The Company prohibits any intentional public display of social security numbers. It also prohibits any employee from maintaining, accessing, viewing, or using for their own personal purposes the social security number of another individual. For business purposes, authorized personnel who have a business use for this information are allowed to maintain, access, view or transmit records and documents containing social security numbers.

When necessary, documents that contain social security numbers will be properly destroyed by a method that prevents display of the whole social security number. The unauthorized removal of social security numbers, in any form, from the Company's premises is prohibited.

Any employee who violates this policy will be subject to discipline, up to and including termination of employment.

## Section 15: EEO Statement

PK Contracting, Inc. management hereby reaffirms, supports, and is committed to the concepts of Equal Opportunity in both the letter and the spirit of the law as defined and / or implied under Executive Order 11246, as amended, Title XII of the Civil Rights Act of 1964, Michigan Public Acts 220 and 453 of 1976, the Equal Opportunity Act of 1972, Section 503 of the Rehabilitation Act of 1973, and the Veterans Readjustment Assistance Act of 1974.

PK Contracting, through responsible management, shall recruit, hire, upgrade, train, and promote qualified persons in all job titles without regard to race, color, religion, sex, national origin, age, handicap or status as a disabled veteran or a veteran of the Vietnam Era, except where handicap is a bona-fide occupational disqualification.

The Company's managers assure that all other personnel practices such as compensation, benefits, layoffs, return from layoffs, or Company sponsored training will be made without regard to race, color, religion, national origin, sex, age, handicap or status as a disabled veteran or a veteran of the Vietnam era, Desert Storm, and Iraqi Freedom, except where age and sex are essential bona-fide occupational requirements or where handicap is a bona-fide occupational disqualification.

PK Contracting's managers shall base employment decisions upon the principles of Equal Employment Opportunity and with the intent to further the Company's commitment. Managers shall also take affirmative action to recruit and hire qualified minority group individuals, females, veterans of the Vietnam Era, Desert Storm, and Iraqi Freedom and qualified handicapped persons and disabled veterans and, subsequent to introduction into the work force, that these individuals, as well as all other categories of employees are encouraged to aspire for promotion and are considered as promotional opportunities arise.

Jessica Bunch, is appointed by Aden Shea, President, as EEO Officer of PK Contracting and has the overall responsibility for Affirmative Action Planning and for implementing and monitoring Equal Opportunity within the company. Jessica Bunch is available to all employees and may be contacted at Telephone: (248) 362-2130.

  
\_\_\_\_\_  
Jessica Bunch, EEO Officer

2/14/2024  
Date

  
\_\_\_\_\_  
Aden Shea, President

2-14-24  
Date

## **Section 15: Affirmative Action Program Document of Good Faith**

The following is the Affirmative Action Program for Equal Employment Opportunity for PK Contracting.

It is the policy of PK Contracting, Inc. to maintain a working environment free of harassment, intimidation, and coercion at all work sites and in all facilities. PK Contracting specifically insures that all forepersons, superintendents, and other on-site supervisory personnel are aware of and carry out the contractor's obligation to maintain such a working environment, with specific attention to minorities.

PK Contracting maintains a current list of minority and women's recruitment sources, provides written notification to these recruitment sources when hiring, and maintains a record of the company's efforts and recruitment source responses. A separate file is kept for women and minority applicants.

PK Contracting is committed to compliance with specified goals on various contracts with requirements for EEO goals.

PK Contracting insures non-discriminatory recruiting by encouraging present employees to refer minority group applicants and by making it known to recruitment sources that qualified minority members are being sought for consideration for supervisory, office, and technical jobs whenever the company seeks to hire new employees.

Opportunities exist to develop on-the-job training or participation in training programs for the areas that expressly include minorities and women, including upgrading, apprenticeship, and trainee programs funded or approved by the Department of Labor.

PK Contracting disseminates its EEO Policy to all new employees at the time of hire and periodically to all employees in paycheck envelopes. EEO documents (Posters and the Company EEO Policy Statement) are on display at all times in the front office as well as on employee bulletin boards and at any satellite locations. The name and telephone number of the company EEO Officer appears on the EEO Policy Statement. The EEO Officer is available at all times to any employee should a problem arise:

Jessica Bunch  
EEO Officer 248-362-2130

The EEO officer is responsible for insuring that wages, working conditions, and employee benefits are determined and administered on a non-discriminatory basis.

The EEO Officer reviews all aspects of employee upgrading, promotion, transfer, demotion, layoff or termination of employment with respect to discrimination and will take corrective action wherever necessary.

PK Contracting keeps required records for the purposes of determining compliance with and progress under our EEO Program.

PK Contracting keeps records on a monthly basis documenting the personnel employed including a count of minority group employees with total work hours, total minority work hours, total female work hours and percentage comparisons in various job classifications and their wage rates.

The EEO Officer will investigate any complaint of a civil rights or harassment nature and discipline any offending supervisory employee as necessary.

In the event that a civil rights complaint cannot be resolved within the company, the complainant will be advised of his /her right to appeal the complaint to the Michigan Department of Civil Rights, Office of Federal Contract Compliance Programs, and / or the Federal Equal Opportunity Commission.

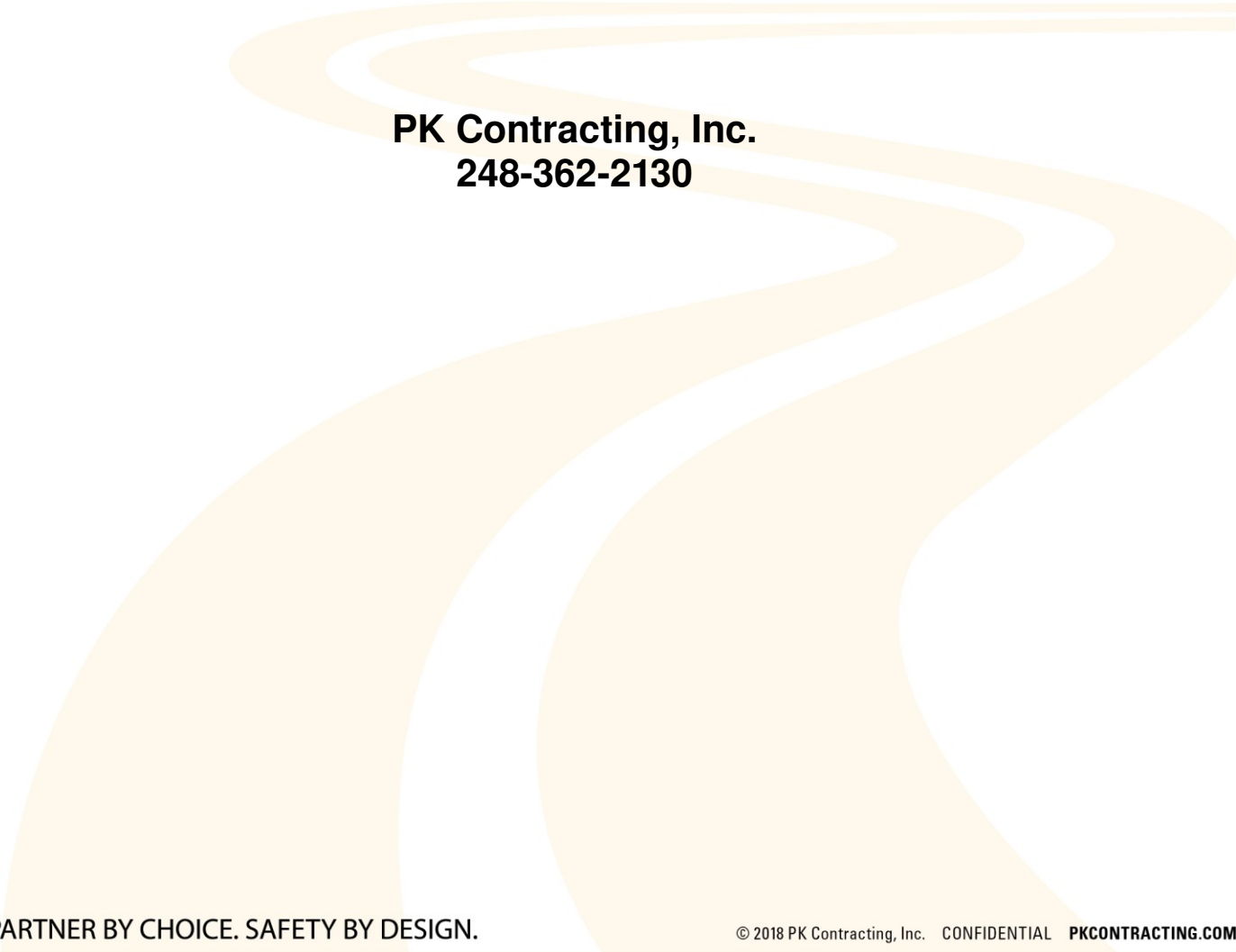
PK Contracting insures that all facilities and company activities are non-segregated.

## **A Final Word**

We have tried to make this handbook comprehensive and to answer the questions that you might have. If you have any questions that this handbook has not answered, please ask us. We will get the answers for you.

This handbook does not cover all kinds of unacceptable conduct. The Company also may discipline or discharge an employee for any unacceptable conduct that is not covered by a specific rule or Company policy in this handbook. PK Contracting has made a sincere effort to provide compensation and employment policies that are mutually beneficial to the Company and you.

This handbook replaces all prior written statements, oral statements, and practices. PK Contracting may change this handbook in the future. We will let you know about any changes before they go into effect.



**PK Contracting, Inc.**  
**248-362-2130**