



**PIKE INDUSTRIES, INC.  
EMPLOYEE & SAFETY MANUAL  
2023**



# 2023 SPRING MEETING SIGN IN FORM

Your signature below will acknowledge attendance at 2023 Pike Industries Spring Meeting in

Circle one:      New Hampshire                      Maine                      Vermont

**YOU WILL BE PAID 4 HOURS OF TRAINING ON \_\_\_\_\_(include date of meeting).**

**DO NOT COMPLETE A TIMECARD FOR THIS TRAINING SESSION. YOUR SIGNATURE BELOW WILL SERVE AS YOUR TIMECARD FOR TODAY.**

NOTE: It is your responsibility to report hours worked, including training time, to your respective unemployment office if applicable.

Name (please print): \_\_\_\_\_

Employee #: \_\_\_\_\_

Position: \_\_\_\_\_

Home base/Work location: \_\_\_\_\_

Division: \_\_\_\_\_

One Way Travel Hours: \_\_\_\_\_

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

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

**PLEASE COMPLETE. DATE AND SIGN AND LEAVE IN THE BASKET ON TABLE**



**HR & SAFETY MANUAL ACKNOWLEDGEMENT FORM**

I hereby acknowledge that I have received on this date a copy of the Company's Employee & Safety Manuals. I acknowledge that it is my responsibility to read and understand the manual and that any questions regarding the manual or its contents should be directed to the Human Resources Department and/or the Safety Department. I understand this Manual is not intended to create a contract of employment, I remain an at-will employee of the Company, and my employment may end at any time for any reason not prohibited by law. I agree to comply with, and incorporate into my daily work activities, the policies and procedures set forth in this manual. I understand that, unless prohibited by law, the Company has the right to amend these Manuals, and the policies contained herein, at its discretion and without prior notice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (please print)

\_\_\_\_\_  
Employee Number

\_\_\_\_\_  
Employee Signature



# Our Core Values

- **Quality:** We take pride in providing high value products and services that we stand behind, which ensures customer satisfaction, profitability and the future of our employees and our growth.
- **Customer satisfaction:** We strive to provide exceptional customer service through flexible scheduling, quality products, efficient services, and innovative solutions resulting in value to the customer and company.
- **Innovation:** We foster a work environment where creative thinking is encouraged and rewarded in order to create opportunities for process improvement and more cost-effective sustainable products and services, providing value to both Pike and our customers.
- **Safety:** We strive to provide a work environment that reduces risk to our employees and traveling public by planning teamwork and using the proper protection equipment tools and procedures.
- **Environmental stewardship:** We educate and empower employees to utilize best management practices to improve Pike's environmental impact while reducing construction materials and services.
- **Integrity:** We behave in a manner that demonstrates trust, honesty, courage, consistency and responsibility with a willingness to admit our mistakes.
- **Community:** We are a responsible, committed, and involved corporate citizen.

## OUR MISSION

“Working in partnership with our employees,  
our customers, and our communities, we  
strive to be a safe, environmentally responsible,  
profitable, low cost provider of quality construction  
services and materials...”



## **Business Ethics and Conduct**

The successful operations and reputation of Pike Industries, Inc. is built upon the principles of honesty and strong ethical conduct of our employees. Responsibility for the company's commitment to integrity rests with each employee.

The continued success of Pike is dependent upon the trust of our customers, and we are dedicated to preserving that trust. All employees are expected to act in a manner that will merit the continued trust and confidence of its customers and the public.

Pike will comply with applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the spirit and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment will guide you with respect to lines of acceptable behavior. If a situation arises where it is difficult to determine the proper course of action, you should discuss the matter openly with your supervisor, division VP and, if necessary, with the Human Resources Department for advice and consultation.

### **DO WHAT'S RIGHT – SPEAK UP**

If you have a concern regarding unethical, illegal or unsafe activity, do not keep it to yourself. Speak Up. Discuss any concerns with the appropriate supervisor or manager. If you prefer to remain anonymous, contact the CRH Hotline.

CRH Ethics & Compliance Hotline  
Call toll-free: 1-800-220-7505  
Or report online at: [www.crhhotline.com](http://www.crhhotline.com)  
Toll-free, 24 hours a day, 7 days a week

**PIKE INDUSTRIES, INC.**

**3 EASTGATE PARK ROAD**

**BELMONT, NH 03220**

**(603) 527-5100**



The information contained in this booklet has been prepared as an aid and a guideline to give you a better understanding of your job at Pike. It contains information about what you can expect from the company, and in turn what the company expects from you.

In this booklet, you will find a summary of our company policies, practices, and procedures, which are presented here as a matter of information. The policies and statements are not a contract. The Company's policies, practices, benefits, and procedures are constantly under review and may be changed, modified, or deleted from time to time in the Company's sole discretion without advance notice. You are responsible for reading, understanding, and complying with the provisions of this Handbook. If you do not understand anything in this Handbook you should contact the Human Resources Department or your Manager with any questions.

**Revised February 2023**

## TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
EMPLOYEE CLASSIFICATIONS	2
SENIORITY DATE	2
HOURS OF WORK AND COMPENSATION	2
Pay Period	2
Pay Stubs	2
Payroll Deductions for all Employees	3
Questions Regarding Paychecks and Deductions	3
Direct Deposit	3
Work Hours	3
Overtime Pay	3
Night Shift Differential Pay	4
Saturday/Sunday Pay	4
Timecards	4
Time Clock Policy	5
Overnight Expenses	5
Travel Time	6
Show-up Time/Rain Days	6
Inclement Weather/Emergency Closings Policy	6
Absence from Work	6
Wage Increases	7
Pay Transparency	7
EMPLOYMENT POLICIES	7
Equal Employment Opportunity/Affirmative Action	7
Discrimination Complaint Procedure	7
Penalties for Non-Compliance	8
Anti-Harassment, Discrimination, and Retaliation Policy	8
Harassment, Discrimination, and Retaliation Complaint Procedure	9
Penalties for Non-Compliance	10
Alcohol and Drug Abuse Policy (Maine Non-DOT)	11
Scope of Testing	11
Policy Statement	11
Prohibited Activities	12
Alcohol and Drug Testing Procedures	12
Testing Requirements	12
Substances to be Tested For	13
Consequences of Testing	13
Testing Procedures	14
Description of Rehabilitation Services	18
Employee Obligations	18
Notification	18
Substance Abuse Test Appeal	19
Alcohol and Drug Abuse Policy (New Hampshire Non-DOT)	19
Policy Statement	19
Required Testing	20
Collection and Testing Procedures	20
Suspension Pending Receipt of Test Results	21
Substance Abuse Awareness	23

Obligations of Employees under this Policy	24
Obligations of Suppliers, Contractors and Other Agents	24
Publication of Policy	25
Alcohol and Drug Abuse Policy (Vermont Non-DOT)	25
Policy Statement	25
Required Testing	25
Collection of Testing Procedures	25
Suspension Pending Receipt of Test Results	27
Substance Abuse Awareness	29
Obligations of Employees under this Policy	30
Obligations of Suppliers, Contractors and Other Agents	31
Publication of Policy	31
U.S. Department of Transportation Federal Motor Carrier Safety Administration (FMCSA) Drug/Alcohol-Free Workplace Policy	31
Purpose and Coverage	31
Criteria for Employees Subject to Testing	31
Definition of "Safety-Sensitive"	32
Definitions	32
Tests Required	34
Pre-Employment	34
Post-Accident	35
Random	36
Reasonable Suspicion	37
Return-To-Duty	37
Post-Rehabilitation Follow Up	37
Policy Prohibitions	37
Consequences for Policy Violations	38
Voluntary Admission of Drug/Alcohol Use	39
Summary of Alcohol Testing Procedures	40
Summary of Drug Testing Procedures	41
Signs and Symptoms of a Drug-Alcohol Problem	43
Drug Free Workplace Act	47
Americans with Disabilities Act Policy	47
Religious Accommodation Policy	48
Smoking Policy	48
Company Materials Purchase Policy	49
Computer, E-Mail, Voice Mail and Internet Usage	49
CRH Social Media Policy and Guidelines	50
Early Seasonal Layoff	54
IMPROVING SKILLS	54
Performance Appraisals	54
Job Posting	54
Transfers	54
Advancement	55
BENEFITS	55
Group Insurance	55
Health Insurance	55
Payment of Premiums (Healthcare Plans)	56
Flexible Spending Accounts	56
Life Insurance	56
Termination of Coverage	57
Disability Insurance	57
Supplemental Insurance Plans	57

Profit Sharing and Deferred Income Plan (401 K)	57
Unemployment Compensation	58
Employee Assistance Program	58
Wellness Reimbursement Program	58
Employee Referral Bonus Program	60
Education Tuition Reimbursement Program	61
Pike Scholarship	63
Credit Union	63
Boot Reimbursement	63
Prescription Safety Glasses Reimbursement	64
TIME OFF/LEAVES OF ABSENCE	64
Paid Time Off (PTO) Policy	64
Paid Time Off	64
Holidays	66
Bereavement Pay	67
Jury Duty	68
Unpaid Leave	68
General Provisions	68
Family and Medical Leave (FMLA)	68
Maternity/Paternity Leave	71
Other Leaves of Absence	72
GENERAL WORK RULES	72
Our Public Image	72
Personal Cell Phone Use	72
Mobile Phone/Electronic Device	72
Use of CB's and Handheld Radios	73
GPS/Telematics Devices	73
Use of Company Equipment	73
Dress Code	73
Care of Private Property	74
Liability Insurance	74
Company Equipment	74
Driver's License Requirement	74
Moving Violation Policy	75
Fraud Policy	75
Disciplinary Action Policy	76
Department of Transportation Violations - Discipline Policy	77
Workplace Violence Policy	79
Resignation	80
Payment upon Termination	80
MISCELLANEOUS	80
Work Problems	80
Newsletter	80

## **SAFETY MANUAL TABLE OF CONTENTS**

	PAGE
President's Message	81
Introduction	82
General Safety Rules	82
Company Responsibility	83
Employee Responsibility	83
Job Safety Analysis (JSA) - "THINK" Program	84

Accident/Incident Reporting	84
Temporary Alternate Duty (Return-to-Work)	84
Drug and Alcohol Testing	85
Housekeeping	85
Workplace Examination	85
Personal Protective Equipment (PPE)	85
Eye and Face Protection	86
High Visibility Clothing	86
Head Protection	87
Hearing Protection	87
Respiratory Protection	88
Foot Protection	88
Fall Protection	89
Hand Protection	89
Quality Control Laboratories	90
Fire Safety and Prevention	90
Weather Conditions	92
Stretching	94
Safe Lifting	94
First-Aid / CPR / AED / Blood Borne Pathogens	95
Natural Hazards	96
Equipment Operation and Fleet Safety	96
Equipment Maintenance	96
Towing / Trailering	97
Seatbelts	97
Wheel Chocks	97
CDL Drivers Age Requirement	97
Vehicle / Equipment Accident or Property Damage	97
General Rules	98
Regulatory Compliance	99
Crane and Hoist Safety	99
Forklift Safety	99
Confined Spaces	100
Compressed Gas Cylinders	100
Electrical Hazards	101
Lock-out / Tag-out / TEST (LOTOT)	102
Working Surfaces	103
Hazard Communication (Haz Com)	104
Welding, Cutting, and Heating (Hot Work)	104
Machine Guarding	105
Excavations, Trenching, and Shoring	106
Emergencies (911)	106
Work Zone Safety	107
Hand and Pneumatic Tool Safety	107

Emergency Spill Response	108
Material Handling and Storage	108
Waste Management and Proper Disposal	108

## **ATTENTION**

Please keep this manual and refer to it when you have questions. Because conditions and our needs change from time to time, it may be necessary to change parts of this handbook and to post additional or amended policies and procedures in the future. When such changes are made, you will be given as much notice as possible. If you have any questions about information in this manual, please do not hesitate to call the Human Resources Department.

## **INTRODUCTION**

Pike Industries Inc. was established in 1872 and developed through five generations of family leadership. After a small -- but determined -- beginning, the Company has evolved into one of the largest asphalt and aggregate materials producers in New England.

Pike Industries had its start in asphalt and has over a century of paving experience behind it. We have maintained state-of-the-art technology, equipment, and facilities that are staffed with knowledgeable personnel.

Over the years, the Company's operations have expanded to include divisions in aggregate production, construction, and transportation services which includes delivery, paving, road reclamation and milling as well as utilities and earthwork. Pike currently operates 26 asphalt plants, 13 sand & gravel, and 22 crushing facilities throughout New Hampshire, Vermont, and Maine.

The Company is proud to have developed into one of New England's leaders in the industry. The hard work and team efforts of our employees have helped Pike to establish its reputation as professionals in the field.

The Human Resources Department has designed this book to help you adapt to your surroundings as quickly and easily as possible. Please read it carefully. If you have any questions regarding this booklet, please contact the Human Resources Department.

This handbook sets forth the Company's employment procedures and policies in summary, which may be amended from time to time. This handbook is not an express or an implied employment contract between the Company and any of its employees. Every employee has an at-will relationship with the Company. All employees are free to resign or leave employment at any time for any or no reason. Likewise, the Company is free to discontinue your employment at any time for any reason not prohibited by law or no reason and with or without notice.



## EMPLOYEE CLASSIFICATIONS

Employees will be classified in one of the following categories, depending on the job description and scope of duties:

Seasonal hourly (non-exempt): an employee paid at an hourly rate who is scheduled to work a minimum of 22 weeks, but fewer than 45 weeks per calendar year.

Seasonal weekly salaried (exempt): an employee paid at a weekly salary rate who is scheduled to work a minimum of 22 weeks, but fewer than 45 weeks per calendar year.

Year-round hourly (non-exempt): an employee paid at an hourly rate who is scheduled to work 45 weeks or more per calendar year.

Year-round weekly salaried (exempt): an employee paid at a weekly salary rate who is scheduled to work 45 weeks or more per calendar year.

Monthly salaried (exempt): an employee paid a monthly salary rate who is scheduled to work 45 weeks or more per calendar year.

College Student (non-exempt): an hourly employee attending college who works fewer than 22 weeks per calendar year.

Full-time: an employee who is regularly scheduled for 30 hours or more in a 7-day period.

Part-time: an employee who is regularly scheduled for fewer than 30 hours in a 7-day period.

## SENIORITY DATE

Your seniority date is the length of continuous service with the Company in a permanent position from your date of hire.

Termination from the Company for any reason (voluntary, discharge, retirement, etc.) will cause a break in seniority. For example, if an employee voluntarily resigns and is rehired at a future date, he/she will receive a new seniority date. Employees who are on an approved leave of absence (medical, personal, or military) or on seasonal layoff will not lose seniority during that interruption in employment.

## HOURS OF WORK AND COMPENSATION

### PAY PERIOD

The pay period begins on Sunday and ends on Saturday each week. Hourly and weekly salaried employees' checks and direct deposit statements are mailed every Wednesday.

If you do not receive your paycheck, a stop payment will be made five (5) calendar days after the date in which the check was mailed. A new check will be issued after the stop payment has cleared at the bank.

### PAY STUBS

All employees receive pay stubs with their paychecks. The pay stubs itemize the income earned as well as any withholdings and deductions. Please review your pay stub each week to ensure that it is accurate. You are strongly encouraged to keep your pay stubs for future reference. If you have any

questions or concerns about your pay stub, please contact your local Human Resources/Payroll department, or call the Payroll Manager 603-527-5100.

## **PAYROLL DEDUCTIONS FOR ALL EMPLOYEES**

There are generally two categories of payroll deductions: those required by local, state or federal law and those authorized by the employee. Payroll deductions required by local, state and federal law include but may not be limited to, withholding, income tax, social security tax, and wage garnishments required by law, such as child support payments, court-ordered payments and IRS garnishments. Deductions are made according to standard government tables and vary according to your earnings, marital status, and the number of dependents. If authorized in writing, the Company will also make payroll deductions for the healthcare coverage, life insurance, and other authorized deductions allowed by law.

## **QUESTIONS REGARDING PAYCHECKS AND DEDUCTIONS**

If you have any questions or concerns about your paycheck or any deductions from your pay, please contact the Payroll Manager at 603-527-5100. If you do not receive a prompt response or are dissatisfied with the response you receive, contact the Human Resources Manager at 603-527-5100. Questions and concerns regarding pay and deductions will be investigated and addressed promptly. If an error has been confirmed, the employee will receive a corrected check or a check reimbursing the employee for the error, whichever is more practicable given the circumstances.

Employees should feel free to communicate any questions or concerns regarding pay or deductions. The Company will not tolerate retaliation against employees who have expressed concerns using this procedure.

## **DIRECT DEPOSIT**

The Company offers a direct deposit program, wherein your pay is automatically deposited into your checking or savings account. A pay stub is mailed to you weekly or delivered electronically via the payroll portal and your financial institution sends a monthly statement to verify that your account has been credited. You are strongly encouraged to keep your pay stubs for future reference. If you are interested in participating in the direct deposit program, contact the Human Resources or Payroll Department for the appropriate forms.

## **WORK HOURS**

Your supervisor will advise you of the required shift hours and days of work which will include extended hours with possible night and/or weekend work as well as overnight. Schedules will vary and may be changed in order to meet the needs of the Company. You will be given as much notice as possible when changes occur.

## **OVERTIME PAY (Hourly, Non- Exempt Employees Only)**

Overtime will be paid at the rate of one and one-half times the regular rate of pay for any hours worked in excess of forty (40) hours in a workweek. The employee's supervisor must authorize all overtime work by non-exempt employees in advance. If an employee works overtime hours without authorization, he/she may be subject to discipline up to, and including, termination. Non-exempt employees will be paid overtime according to the guidelines.

**Guidelines:**

Seasonal and year round hourly paid employees: Overtime after 8 hours of work will be paid beginning with the employee's seasonal recall date through the layoff date each year unless a modified or flexible work schedule (see below) is imposed by the employee's manager or VP. Hours of work on a Friday night shift (a period of time that is scheduled to span two calendar days) and all Saturday hours of work will be paid at one and one-half times the regular rate of pay.

Hourly paid office personnel: Overtime will be paid at time and one-half the regular rate of pay after forty (40) hours of work in any one week.

Modified or flexible work week: A division VP may authorize or mandate a flexible or modified work schedule (i.e. four 10-hour days) in which case overtime will be paid at time and one half after forty (40) hours of authorized work in any one week.

Hours not worked, for example: Holiday, PTO, Bereavement, do not count as hours worked for overtime purposes.

**NIGHT SHIFT DIFFERENTIAL PAY**

Any Hourly and Weekly Salaried employee who is required to work a night shift (a period of time that is scheduled to span two calendar days) will receive a night shift differential payment in addition to their current pay rate for those night hours worked. Night shift differential payments are processed through payroll. If you report to work on a scheduled night shift, but the operation is cancelled by your supervisor or other company manager, you will still receive the night shift payment for any hours worked during the shift.

Night shift differential payments will be processed with the pay period in which the shift begins. The night shift differential rate is \$7.50 per hour for hourly employees (including hourly forepersons) and \$100.00 per night shift for weekly salaried employees.

Your manager must authorize all night shift reimbursements.

**SATURDAY/SUNDAY PAY (Seasonal Weekly Salaried, Exempt Employees only)**

Seasonal and Year Round Weekly Salaried employees will receive pay equal to one-fifth (1/5) of the employee's current weekly salary for each and every Saturday and/or Sunday worked during the season after meeting the following criteria:

- The division manager (Construction Area Manager, Quarry Manager, Plants Manager, QC Manager, Equipment Manager, etc.) must approve the Saturday/Sunday pay at least 24 hours in advance.
- The work performed must be oversight or supervising production work.
- The Saturday/Sunday work must be a minimum of eight (8) hours.

**TIMECARDS**

You are required to report all hours worked each day in one of the following timecard methods; an individual timesheet, the time clock system (PosData) along with the entry of phase hours, or to your Foreperson if tracked electronically via the inField or B2W Track programs. Your supervisor will determine the appropriate method for reporting your work hours.

Timecards or your hours worked are due at the end of each shift to your supervisor or timecard authorizer. Any exceptions to this policy must be authorized by the line of Business VP and the Payroll Manager.

You are expected to report your work hour information accurately and timely. This is also expected of Forepersons who report work hours for their crew(s).

Timecards are a legal instrument. Altering, falsifying, tampering with time records, or recording time

on another team member's time record will result in disciplinary action, including termination of employment. Working "off the clock", or working without accurately reporting all time worked, is strictly prohibited and will result in disciplinary action, including termination of employment.

It is your responsibility to review your weekly paycheck for accuracy with regard to hours worked. If you feel there is a discrepancy in your pay check or pay stub, notify the Payroll Department at (603) 527-5100 within one week of the date the paycheck is issued.

## **TIME CLOCK POLICY**

Employees who use the POSData automated time clock system for recording work hours will abide by the following guidelines:

- Employees are required to clock in/out with the time clock located at the designated facility using the biometric finger scan.
- Hourly paid employees must have prior authorization from their supervisor for the following: overtime, working through lunch, clocking in early or late, or other deviations from the regular work schedule.
- Start and stop times will be rounded to the nearest one-quarter of an hour in accordance with federal guidelines.
- Employees who leave the work premises for non-business related purposes must clock out.
- Employees must clock out/in for lunch breaks, whether off or on the premises during the break. No work may be performed during this time.
- Employees who forget to clock in or clock out must notify their supervisor immediately and will be required to complete a Missed Clock Time Card authorization form with supervisor approval indicating the reason for the missed clock in/out. Employees who consistently miss time clock entries will be subject to disciplinary procedures.
- Absences due to paid holiday, bereavement, PTO, or other paid absence will be recorded on the Missed Clock Time Card under the Absence Reporting section.
- Misrepresenting work hours, falsifying signatures or information on a time keeping record, or tampering with the Company's time clock or other employees' time keeping records are serious offenses. Employees found to have engaged in any of these prohibited activities are subject to immediate discipline, up to and including termination.

If you have questions or concerns regarding this policy, contact your supervisor or Human Resources department.

## **OVERNIGHT EXPENSES**

Reimbursement for overnight expenses is provided on a per night basis. You must stay overnight in order to receive this. All overnights will be reimbursed through payroll at a rate of \$40.00 per night (non-taxable).

Weekly salaried supervisors/managers who lead a crew or project will be allowed to have a single room due to the nature of their job (after hours paperwork, timecards, etc.). The respective Area Manager, Construction Manager, Plants/Aggregates Manager, or Division VP must approve any exceptions to this policy.

Employees who choose to stay at a campground with personally owned campers the Company will pay the campground directly, up to \$40/day to cover the campground fees. Employees who stay at an approved campground will receive \$40 per night (nontaxable) for the overnight expense. These reimbursements are processed through our accounts payable department. If the owner of the camper allows another employee to stay with him/her, that employee will also receive \$40 per night (nontaxable). The Division VP must approve all campground related expenses.

All employees covered under this policy are responsible for keeping their own records and receipts for

tax purposes. Without these records, the IRS may consider expense pay taxable income.

## **TRAVEL TIME**

As business needs arise, you are expected to travel including overnights. The Company will pay travel time based on driving miles when you work more than 45 miles from an assigned Pike base. Travel time will not be paid if your commute is within 45 miles of your assigned Pike base. If your manager deems it appropriate, Pike would pay overnights (based on double occupancy, non-smoking rooms) in lieu of travel time when you are working more than 45 miles from your base. All hourly field employees are eligible for this benefit.

Travel time will be paid only if you are traveling away from your assigned Pike base and have a supervisor's approval. Your supervisor, in collaboration with the HR Manager, will determine your base, which is the Pike facility closest to your residence. If you are assigned to a different location for the season or an extended timeframe (more than 2 weeks) you will not be paid travel time. If your residence is closer to the job site, plant or crusher than your assigned Pike base, travel time will be paid for the shorter of the two distances.

Exceptions to the above guidelines must be approved by your Division VP.

When an employee carpools to attend a mandatory training session travel time will be paid if eligible.

In all cases, personal vehicle mileage reimbursement and travel time pay must be approved by your supervisor in advance.

## **SHOW-UP TIME/RAIN DAYS – NON-EXEMPT EMPLOYEES ONLY**

If you arrive at the job site, but the operations are cancelled due to weather or other circumstances, you will be paid two hours' show-up time. You may be expected to stay on the job site during this time to perform duties requested by the supervisor (cleaning equipment, improving job site appearance, etc.). Employees should be equipped with rain gear and be ready to work in inclement weather if necessary.

Salaried personnel should always check with their direct supervisor or the Regional Office before going home on a rain day.

## **INCLEMENT WEATHER / EMERGENCY CLOSINGS POLICY**

At times, emergencies such as severe weather can disrupt company operations. The decision to close an administrative office will be made by the company President and/or VP. When the decision is made to close an administrative office, employees will receive official notification from their supervisors or the office managers. Time off from scheduled work due to emergency closings or inclement weather will be unpaid for all non-exempt employees. However, if employees would like to be paid, they are permitted to use PTO time if it is available to them.

## **ABSENCE FROM WORK**

Absence and tardiness are not only disrupting, but also an inconvenience to other employees. It is essential that you are ready to begin work promptly at your scheduled start time and that you leave only at the end of your workday. If you are unable to arrive at work on time, call your direct supervisor as far in advance as possible and explain the reason for your absence. Failure to do so may result in disciplinary action, up to and including termination. Unless the absence is excused by law, any employee who is absent and does not contact the Company for two working days will be considered as having voluntarily quit.

## **WAGE INCREASES**

Pike Industries will consider wage increases using a merit system. Your rate of pay and potential for a wage increase is determined on business factors including but not limited to the Company's financial ability and your overall performance as an employee of Pike Industries. It is not company policy to grant Cost of Living Adjustments (COLA's).

## **PAY TRANSPARENCY**

The Company will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or (c) consistent with the contractor's legal duty to furnish information.

## **EMPLOYMENT POLICIES**

### **EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION**

It is the policy of this Company to assure applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, national origin, age, disability, genetics, gender identity, transgender status, sex stereotyping, pregnancy and related conditions, veteran's status, sexual orientation, place of birth, marital status, a qualified handicapped status, or any other characteristic protected by law. Such terms and conditions of employment may include employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

Pike Industries will continue our efforts to take Affirmative Action to ensure that there will be no discrimination in the promotion, transfer, discharge, training, or retraining under programs to which the Company subscribes, compensation, terms and conditions of employment or privileges of employment by reason of an individual's race, color, sex, age, religion, pregnancy and related conditions, veteran's status, ancestry or national origin, physical or mental disability, sexual orientation, gender identity, place of birth, marital status, a qualified handicapped individual, or any other characteristic protected by law.

Pike Industries will take affirmative action to seek out and provide employment and/or advancement opportunities to qualified women, minorities, disabled individuals, and covered veterans.

### **Discrimination Complaint Procedure**

Any Pike employee who believes he or she has been the subject of discrimination in the workplace may contact any one of the following individuals:

- Your immediate supervisor
- Your Division VP\*
- The Human Resources Director\* at the office in Belmont, New Hampshire (603) 527-5100.
- The Human Resources Manager\*
- \* The names of the Divisional VPs, the Human Resources Director, and the Human Resources Managers will be included in the Equal Employment Opportunity/Affirmative Action policy which is posted at all Pike facilities and jobsites.
- CRH Compliance and Ethics Employee Hotline at [www.crhhotline.com](http://www.crhhotline.com) or 1-800-220-7505.

If the complaining employee is dissatisfied with the employer's action, or is otherwise interested in doing so, he or she may file a complaint in writing or by calling one of the following agencies:

Equal Employment Opportunity Commission (EEOC)  
JFK Federal Building  
25 Sudbury Street, Room 475  
Boston, MA 02203-0506  
Tel: -1-800-669-4000

*(For New Hampshire Employees)*  
NH Commission for Human Rights  
2 Industrial Park Drive  
Concord, NH 03301  
Tel: (603) 271-2767

*(For Maine Employees)*  
Maine Human Rights Commission  
19 Union Street  
Augusta, ME 04330  
Tel: (207) 624-6290  
(Maine law requires notification  
within six (6) months of the harassment)

*(For Vermont Employees)*  
Vermont Attorney General's Office  
Civil Rights Unit  
109 State Street  
Montpelier, VT 05609  
Tel: (802) 828-3171  
(Vermont law requires notification  
within 300 days of the harassment)

Pike Industries will investigate all complaints of discrimination and will take appropriate remedial action.

### **Penalties for Non-Compliance**

If an employee is found to have violated Pike Industries Equal Employment Opportunity Policy, any of the following courses of action may be taken:

- Verbal warning
- Written warning
- Suspension from work without pay
- Transfer to a new work location
- Termination

If you have questions about discrimination, our complaint processes, or the policy, contact the Human Resources Director at the Belmont, NH office.

  
\_\_\_\_\_  
Barry Duffy  
President  
\_\_\_\_\_  
Stacia A. Maloney  
Human Resources Director/EEO Officer

January 1, 2023  
Date

### **ANTI HARASSMENT, DISCRIMINATION, AND RETALIATION POLICY**

The Company is committed to maintaining a work environment free of all forms of harassment, discrimination, and retaliation. Harassment, discrimination, and retaliation are forms of employee misconduct that interferes with work productivity and wrongly deprives employees of a work environment in which employees are treated with dignity and respect.

Sexual harassment is a form of sexual discrimination that is prohibited by state law, under (1) Maine's Human Rights Act, (2) Vermont's Fair Employment Practices Act, and (3) New Hampshire's Law Against Discrimination, and federal law, under Title VII of the Civil Rights Act of 1964, as amended.



Sexual harassment is defined as unwelcome sexual or gender-based conduct that creates a hostile, intimidating, or offensive work environment. It also exists when an employee exercises or threatens the authority of his or her position to control, influence, direct, or affect the job, duties, earnings, or career of another employee in order to obtain a sexual favor. In other words, it includes unwelcome sexual advances, requests for sexual favors, and other verbal, physical, or visual conduct of a sexual nature, particularly where:

- submission to such conduct by an individual is made either explicitly or implicitly a term or condition of employment.
- submission to, or rejection of such conduct by an employee is used as the basis for an employment decision.
- such conduct has the purpose or creates an intimidating, hostile, or offensive environment.

All decisions regarding employment benefits, opportunities, and performance are made on the basis of merit and without discrimination or condition upon submission to any sexual or other illegal conduct.

Sexual harassment may take on many forms. Examples of sexual harassment may include, *but are not limited to*, repeated offensive or unwelcome comments, unnecessary physical contact or touching, lewd or off-color humor, sexual innuendo, unwanted propositions, obscene gestures, excessive flirtation, or the display of sexually suggestive pictures or cartoons. Offensive comments, jokes, innuendoes, and other sexually oriented statements and materials have no place in a business environment and are strictly prohibited. Employees are prohibited from bringing into the work place or displaying any written materials or pictures that are sexually suggestive or offensive in nature. An employee who has questions regarding the propriety of written materials or pictures should contact the Human Resources department.

All employees of the Company are expected to act responsibly to establish a pleasant working environment free of harassment.

The Company expressly prohibits, and will not tolerate, harassment, discrimination, or retaliation in any form by any employee of the Company, including management, delivery personnel, sales people, vendors, contract workers, a union steward, and other visitors.

### **Harassment, Discrimination, and Retaliation Complaint Procedure**

Any Pike Industries employee who believes he or she has been the subject of harassment, discrimination, or retaliation is encouraged to take any of the following steps:

- Politely but firmly confront the offender, in front of a witness if practical, stating how you feel about the conduct, and asking that it be stopped by explaining that it offends you.
  - Write down all details about the confrontation (date, time, place, etc.) and summarize your conversation and that person's reaction to it. A diary outlining a chronological list of events is useful in documenting and correcting the problem.
  - Report the alleged harassment immediately to any of the following individuals:
    - Your immediate supervisor
    - Your Division VP \*
    - The Human Resources Director \* at the office in Belmont, New Hampshire (603) 527-5100.
    - The Human Resources Manager \*
- \* The names of the Divisional VPs, the Human Resources Director, and the Human Resources Managers will be included in the Sexual Harassment policy which is posted at all Pike facilities and job sites.
- CRH Compliance and Ethics Employee Hotline at 1-800-220-7505 or [www.crhhotline.com](http://www.crhhotline.com).



Pike Industries will investigate all complaints of harassment, discrimination, and/or retaliation and will take appropriate remedial action. The Company is committed, and required by law, to take action if it learns of harassment, discrimination, and/or retaliation. Confidentiality will be maintained to the greatest extent possible.

Retaliation of any sort against an employee who reports suspected harassment or discrimination or cooperates/participates in an investigation will not be tolerated. All employees found to have participated in any form of retaliation will receive discipline, up to and including, termination.

Retaliation is a form of prohibited discrimination that is against this Company's policy and will be treated in the same manner as other forms of harassment or discrimination. It is a violation of this policy for any employee who learns of an investigation or complaint to take any retaliatory action that affects the working environment of any person involved in an investigation.

If the complaining employee is dissatisfied with the Company's action, or is otherwise interested in doing so, he or she may file a complaint in writing or by calling one of the following agencies:

Equal Employment Opportunity Commission (EEOC)  
JFK Federal Building  
25 Sudbury Street, Room 475  
Boston, MA 02203-0506  
Tel: 1-800-669-4000

*(For Maine Employees)*  
Maine Human Rights Commission  
19 Union Street  
Augusta, ME 04330  
Tel: (207) 624-6290  
(Maine law requires notification  
within six (6) months of the harassment)

*(For New Hampshire Employees)*  
NH Commission for Human Rights  
2 Industrial Park Drive  
Concord, NH 03301  
Tel: (603) 271-2767

*(For Vermont Employees)*  
Vermont Attorney General's Office  
Civil Rights Unit  
109 State Street  
Montpelier, VT 05609  
Tel: (802) 828-3171  
(Vermont law requires notification  
within 300 days of the harassment)

## **Penalties for Non-Compliance**

If an employee is found to have violated Pike Industries Anti-Harassment and Discrimination Policy, any of the following courses of action may be taken:

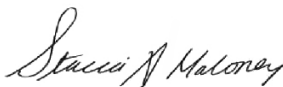
- Verbal warning
- Written warning
- Suspension from work without pay
- Transfer to a new work location
- Termination

If you have questions about sexual harassment, how our complaint process works, or about our policies, contact the Human Resources Director at 603-527-5100.



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Barry Duffy  
President



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Stacia A. Maloney  
Human Resources Director/EEO Officer

January 1, 2023

Date

# **ALCOHOL AND DRUG ABUSE POLICY – MAINE NON-DOT EMPLOYEES**

## **Covered Establishment**

Pike Industries, Inc.  
95 Warren Ave  
Westbrook, Maine 04092

207-854-2561

Contact regarding substance abuse testing policy:

Stacia Maloney  
Human Resources Director/EEO Officer  
603-527-5109 (office)  
603-387-3495 (cell)

This policy covers all employees and applicants for Pike Industries, Inc. in Maine.

In accordance with the Drug-Free Workplace Act of 1988, this policy complies with the Maine Substance Abuse Testing Law (Title 26 M.R.S.A. Section(s) 681-690) and the Maine Department of Labor Rules relating to Substance Abuse Testing.

All employees will be provided a copy of the approved policy at least 30 days before any portion of the policy applicable to employees takes effect. All new employees will be given a copy of the approved policy prior to or upon beginning work. All applicants will be notified at the time of initial interview that they will be tested for Substance Abuse and will be advised where they may review the policy and statute.

Prior to testing, an applicant shall be provided with a copy of the policy and statute.

## **Scope of Testing**

An “employee” is defined in state law as “a person who is permitted, required or directed by any employer to engage in any employment for consideration of direct gain or profit”. For the purpose of this program, a person separated from employment while receiving a mandated benefit, including but not limited to worker’s compensation, unemployment compensation and family medical leave, is an employee for the period the person receives the benefit and for a minimum of 30 days beyond the termination of the benefit. A person separated from employment while receiving a non-mandated benefit is an employee for a minimum of 30 days beyond the separation.

An “applicant” is defined in state law as any person seeking employment from an employer. The term includes any person using an employment agency’s services.

## **Policy Statement**

Pike Industries, Inc. recognizes alcohol and drug dependency as an illness as well as a potential safety hazard. The Company is committed to providing a safe and healthy workplace for our employees and to protecting the safety of the public who come in contact with the Company through our employees or on our property or project sites. To meet these goals, the Company has adopted a comprehensive alcohol and drug abuse policy and testing program.

## Prohibited Activities

Pike Industries, Inc. prohibits the use, sale, distribution, and possession of alcohol and drugs by employees, suppliers, or contractors during working hours and while on Company property, on Company project sites or operating Company equipment. Pike Industries, Inc. also prohibits employees and contractors from reporting to work, being present on Company property or job sites and operating Company equipment while under the influence of alcohol and/or drugs. Violation of this policy will result in disciplinary action up to and including termination of employment.

## Alcohol and Drug Testing Procedures

### 1. Testing Requirements

Pike Industries' comprehensive alcohol and drug abuse testing program includes alcohol and drug testing under the following circumstances.

#### 1. Pre-employment

All applicants for employment in all positions are required to submit to a drug test prior to commencing employment. Substance abuse tests will be administered only to those applicants who are in the above classification or position titles who have been offered employment with the Company or who have been offered a position by the Company on a roster of eligibility from which applicants shall be selected for employment.

#### 2. Probable Cause

1. All employees will be subject to the provisions of our substance abuse policy under probable cause testing.
2. Probable cause means a reasonable ground for belief in the existence of facts that induce a person to believe an employee may be under the influence of a substance of abuse, provided that the existence of probable cause may not be based exclusively on any of the following:
  - A. Information received from an anonymous informant.
  - B. Any information tending to indicate that an employee may have possessed or used a substance of abuse off duty, except when the employee is observed possessing or ingesting any substance of abuse either while on the premises or in the proximity of the employer premises during or immediately before the employee's working hours.
  - C. A single work-related accident.
3. Classification or position titles that may make a determination of probable cause. Each supervisor is responsible for making a determination of probable cause.
4. Method by which probable cause determination will be communicated to the employee:

Where the company has probable cause to believe that an employee is under the influence of drugs or alcohol, a review will be undertaken on an individual basis. The supervisor or other qualified staff must state in writing, the facts upon which this determination is based and provide a copy of the statement to the employee prior to testing.

Results of the test will be communicated to the employee in person or by telephone by the **Human Resources Director** within three days of receiving the test results.

## 2. Substances to be tested for:

### A. Test procedure to be used and cut off limit for positive screening test.

1. Screening will be the EMIT (Enzyme Multiplied Immunoassay Test) methodology

2. Substances	Screening Concentration Cut Off (In Urine)	
Alcohol (in blood or urine)	0.02	NG/100ML
Amphetamine/Methamphetamine	500	NG/ML
Barbiturates	300	NG/ML
Benzodiazepines	300	NG/ML
Cocaine and/or Metabolites	150	NG/ML
Marijuana (in urine) – Not included in pre-employment testing	50	NG/ML
Marijuana (in blood) – Not included in pre-employment testing	10	NG/ML
Methadone	300	NG/ML
Methaqualone	300	NG/ML
Opioids	2000	NG/ML
Phencyclidine	25	NG/ML

### B. Test procedure to be used and cut off limit for positive confirmation test.

1. Confirmation test will be by GC/MS (Gas Chromatography/Mass Spectrometry) methodology

2. Substances	Confirmation Concentration Cut Off (In Urine)	
Alcohol (in blood or urine)	0.02	NG/100ML
Amphetamine/Methamphetamine	250	NG/ML
Barbiturates	300	NG/ML
Benzodiazepines	200	NG/ML
Cocaine and/or Metabolites	100	NG/ML
Marijuana (in urine) – Not included in pre-employment testing	15	NG/ML
Marijuana (in blood) – Not included in pre-employment testing	10	NG/ML
Methadone	300	NG/ML
Methaqualone	300	NG/ML
Opioids (morphine, codeine)	2000	NG/ML
Phencyclidine	25	NG/ML

## 3. Consequences of testing:

1. **Action to be taken for refusal to submit to a test:** An employee who refuses to submit to a drug screening probable cause test may be terminated. An applicant who refuses to submit to a test will be rejected for employment at Pike Industries, Inc.

2. **Action to be taken while awaiting results of a test:** During the period between testing and the receipt of the test results, the employee will be suspended with full pay and benefits. An applicant will not be hired during the period between testing and the receipt of the test results.
3. **Action to be taken based on confirmed positive result:** Employee will stay on suspension and be offered opportunity for up to six months of rehabilitation services. An applicant will be rejected for employment and may reapply at a later date. In addition, any employee who refuses to be tested or otherwise fails to cooperate with testing will be subject to immediate termination.
4. **Action to be taken upon refusal to use rehabilitation resources:** Employee may be terminated.
5. **Procedures for returning employee to the previously held job or position after rehabilitation:** Upon successfully completed rehabilitation as determined by the provider after consulting with the Company, the employee is entitled to return to his/her previously held job with full pay and benefits unless conditions unrelated to the employee's previous confirmed positive result make the employee's return impossible. No reduction may be made in an employee's previous benefits or rate of pay while waiting reassignment to work or while working in a position other than the previous job. The employee shall be reinstated to the previous position or another position with the equivalent rate of pay and benefits and with no loss of seniority within six months after returning to work in any capacity with the employer, unless the employee has received a subsequent confirmed positive test result within that time, or unless conditions unrelated to the employee's previous confirmed positive test makes reinstatement or reassignment impossible.
6. **Action to be taken based on a subsequent confirmed positive test result from 90 days to 12 months:** Employee may be terminated.
7. **Action to be taken on employee's voluntary admission:** An employee who voluntarily admits a problem with substances of abuse may take advantage of the services offered through the Employee Assistance Program (see Rehabilitation Service). No adverse action will be taken against an employee simply because of such admission.

The company encourages employees who may have a problem with alcohol and/or drug abuse to seek professional help and use the Employee Assistance program as a resource.

#### 4. Testing Procedures

1. Identify sample collection facility or facilities

Health Connections  
51 Fairview Avenue  
Skowhegan, ME 04976

Concentra  
59 East Avenue  
Lewiston, ME 04240

Concentra  
85 Western Avenue  
South Portland, ME 04106

Concentra  
34 Gilman Road  
Bangor, ME 04106

Concentra  
176 Main Street, Suite 2  
Norway, ME 04268

Southern Maine Workwell  
13 July Street  
Sanford, ME 04073

Workplace Health  
149 North Street  
Waterville, ME 04901

WorkWise  
43 Dwelley Avenue  
Dover-Foxcroft, ME 04426

ClearChoice  
273 Payne Road  
Scarborough, ME 04074

Workplace Health  
21 Enterprise Drive  
Augusta, ME 04330

Concentra  
219 Capital Street, Suite 2  
Augusta, ME 04330

Concentra  
400 Southborough Drive  
South Portland, ME 04106

Concentra  
11 Medical Center Drive  
Brunswick, ME 04011

2. Method of sample collection

a. Procedure to segregate a portion of the sample at employee's request:

At the request of the employee/applicant, at the time the test sample is taken, a portion of the sample collected, sealed, and labeled according to State regulations and these procedures, will be segregated for that person's own testing. This sample will be stored by the laboratory and chain of custody shall be maintained as provided in this policy. Within 5 days after notice of the test result is given to the employee/applicant, the employee/applicant shall notify the employer and the facility of the testing laboratory selected for that person's own testing. The laboratory so selected must be licensed by the Maine Department of Human Services. The employer's laboratory shall promptly send the segregated portion of the specimen to the selected laboratory, subject to the same chain of custody and security requirements as observed for the employer's specimen. The employee/applicant will be required to pay for the segregation of a second sample as well as the expense of said additional testing only if and when the employee/applicant notifies the employer of the choice of laboratory to which the second sample is to be sent.

b. Employee's election of a blood test:

For an alcohol test, the employee may request that a blood sample be taken for testing. The employee must make this request at the time a test sample is taken. If the employee requests a blood test, no other sample from the employee will be tested for alcohol or marijuana. However, the employee may be required to provide a urine sample for testing of other drugs.

c. Procedure to collect urine:

The employer will not require an employee/applicant to remove any clothing for the purpose of collecting a urine sample, except that the employer will require that an employee/applicant leave any personal belongings other than clothing and any unnecessary coat, jacket or similar outer garments outside the collection area.

No employee/applicant may be required to provide a urine sample while being observed, directly or indirectly, by another individual.

d. Procedure to collect blood:

Blood specimens (upon request by the employee for alcohol or marijuana) shall be collected in new vacuum-activated blood collection tubes, with such preservatives as may be specified by the testing laboratory, and shall be sealed with tamperproof seals, covering the cap and extending over the sides

of the container. Blood samples shall be taken by a licensed physician, registered physician's assistant, registered nurse, or a person certified by the Department of Human Services to draw blood. Each specimen container shall be clearly and indelibly labeled with the date and time of collection and the name or other identifier associated with the employee from whom the specimen was obtained. Sealing and labeling shall occur under the observation of the employee being tested.

3. Storage of Sample

**A. At collection point:**

Urine samples will be collected in new, clean containers manufactured for the purpose of urine collection. Immediately after assessment, the container will be sealed with tamper-proof tape and labeled in the presence of the applicant. The seal will cover the cap and extend over the sides of the container. The label will contain the date and time of collection, and the identifying number of the applicant. All information on the label will be written clearly and with indelible ink. Samples will be transported or shipped promptly to the testing laboratory in a secure fashion, so as to prevent tampering. If shipment or transport is not feasible, the specimen will be refrigerated within one hour at less than 6 C for no more than three days, or frozen at -20 C or less, for no more than two weeks before shipment.

**B. At laboratory:**

All positive specimens will be retained by the laboratory in the original containers in secure storage at freezing temperatures (-20 C or less) for at least 6 months. Should legal challenge occur, the specimen will be retained throughout the period of resolution of the challenge.

4. Chain of Custody

**A. Labeling and Packaging:**

Immediately upon collection of each sample, a chain of custody record shall be established for that sample, indicating the identity of each person who will be having control over the sample, and the times and dates of all transfers or other actions pertaining to the sample.

**B. Transport:**

Samples will be picked up from the facility within 24 hours of collecting the sample and will be transported in a secure fashion, so as to avoid tampering.

Each person who takes custody of the sample in the course of transport will record on the chain of custody log the date, time, transporter's name and employer's name, origin and destination of the sample.

**C. At Lab:**

When a sample arrives at the lab, the person receiving the sample shall record the time of receipt and the location of each sample in the lab's storage system. Any technician or other person who removes the sample from storage or opens the sample shall record the date, time, their name and the purpose for removal or opening of the sample.

5. Identify Testing Laboratory

NAME: *Quest Diagnostics Incorporated*  
ADDRESS: 400 Egypt Road  
Norristown, PA 19403  
(610) 631-4222



6. Procedure for Notifying of the Result

The employee/applicant will be notified by personal telephone call and confirmed by mail unless the employee/applicant otherwise instructs.

All laboratory reports, including the screening, confirmation and quality control data shall be reviewed by the HR Director as accurate. The report will identify the name of the laboratory, the drugs and metabolites tested for, whether the test results were negative or confirmed positive, and the cutoff levels for each substance. The report will include any available information concerning the margin of accuracy and precision of the test methods employed.

- A. Unless agreed upon by the employee/applicant, no report shall show the quantity of substance detected, but only the presence or absence of that substance relative to the cutoff level.
- B. No report will show that a substance was detected in a screening test, unless the presence of the substance was confirmed in the confirmatory test. Test results will be randomly delayed from 2 to 5 days so that the employer cannot gauge screening test results from the time results are reported. In addition, all testing will be billed to the employer at a single rate per sample tested (which may be periodically adjusted by the laboratory).
- C. No substance may be reported as present if the employer did not request analysis for that substance.
- D. Reports of samples segregated at the employee's/applicant's request, for testing by the employee's/applicant's choice of laboratory, will be provided to the employee/applicant and the employer.

Unless the employee/applicant consents, all test results and any information acquired by the employer in the testing process is confidential and may not be released to anyone except the employee/applicant tested. This requirement applies to the personnel of all laboratories involved and to the employer. However, this does not prevent the disclosure of results or information if:

- 1. Release of information is required or permitted by state and federal law including release under 26 M.R.S.A. Sec. 683 (8) (D), or
- 2. The use of this information is part of any grievance procedure, administrative hearing or civil action relating to the imposition of the test or the use of test results.

The results of any test may not be required, requested or suggested by the employer to be used in any criminal proceeding as provided by 26 M.R.S.A. Sec. 685 (3) (B).

- E. The laboratory shall retain records of confirmed positive results in a numerical or quantitative form for at least two years.
7. Procedure for an employee/applicant to appeal and contest the accuracy of a confirmed positive result.

If the employee/applicant chooses to segregate a portion of their sample and elects to submit that sample to a laboratory of their choice, the results of the second test will be controlling.

To appeal the results of a confirmed positive result in lieu of testing the segregated sample, the employee/applicant must fill out and sign the attached "Substance Abuse Test Appeal" form submitting information explaining or contesting the results, within five (5) working days after notice of a confirmed positive test result. The appeal process will be conducted without cost to the employee/applicant. The employee/applicant will then be scheduled to meet within 14 days with **the Human**



**Resources Director.** The employee/applicant will explain the basis for the appeal and may be asked questions. After the meeting concludes, a written report of findings and conclusions will be prepared and a copy sent to the employee/applicant.

## **Description of Rehabilitation Services**

### **1. Description of employee assistance program**

The Employee Assistance Program which has been certified under the State's Department of Human Services "Regulations for Employee Assistance Programs for Employers Operating in the State of Maine" provides a range of services to employees for substance abuse.

### **2. Procedure to obtain services**

For an employee to take advantage of the employee assistance program, an employee may directly call the employee assistant program or may ask for a referral through the Company. The telephone number for the EAP program is **1-800-841-5144**.

Information obtained or discussed as part of employee referral or treatment is strictly confidential. The company will only ask the provider of such treatment for information relating to an employee's cooperation in and successful completion of the program. The employee will authorize this limited exchange of information between the provider and the Company Human Resources Director.

### **3. Description of method of payment for rehabilitation services**

If an employee elects to use the services provided under the Company's Employee Assistance Program, the cost will be covered by the Company. If any employee elects to use another rehabilitation program, some of those costs may be covered by the employee's health insurance. To the extent that costs may not be covered by health insurance, the additional costs are divided equally between the Company and the employee. If the employee has difficulty paying his or her share of these expenses, the employee should consult with the Company to arrange for a loan or advance against future earnings through a payroll deduction plan.

### **4. Testing upon return to work after completion of rehabilitation**

The employee may be required to submit to one subsequent substance abuse test anytime between 90 days and one year after the date of the employee's prior test.

## **Employee Obligations**

1. Supervisors are responsible for observing their employees. If a supervisor suspects that any employee is under the influence of alcohol and/or drugs, he/she should notify Human Resources immediately. Any employee who suspects that another employee is under the influence of alcohol and/or drugs should notify the employee's supervisor or Human Resources immediately.
2. An employee who is taking a prescription medication under a physician's supervision must notify his/her supervisor or the Human Resources department if the medication is likely to impair the employee's ability to perform his/her job.

## **Notification**

This policy shall be available in the Human Resources Department. The Company will inform its suppliers, contractors and other agents routinely doing business on Company property regarding these alcohol and drug abuse policies.

The Company will expect that these parties will ensure their employees are in strict compliance with the Company's prohibitions against the possession or use or entry under the influence of drugs

and/or alcohol, on Company property or job locations.

**Substance Abuse Test Appeal**

If you have reason to question the accuracy of a substance abuse test to which you have submitted, you may file an appeal by filling out this form.

**Name of person appealing:**

\_\_\_\_\_

**Date sample provided:**

\_\_\_\_\_

**Where was sample provided?**

\_\_\_\_\_

**What are the reasons for your appeal of the test’s accuracy? (please be specific)**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Date**

\_\_\_\_\_

**Signature of Person Appealing**

\_\_\_\_\_ will schedule a time to meet with you within fourteen days from the time this Appeal is received by the employer.

**ALCOHOL AND DRUG ABUSE POLICY – NEW HAMPSHIRE NON-DOT EMPLOYEES**

Pike Industries is committed to providing a safe, healthy and productive workplace that is free from alcohol and unlawful drugs as classified under local, state or federal laws, including marijuana, while employees are working on the employer’s premises (either on or off duty) and while operating employer-provided vehicles.

In furtherance of this commitment, the Company maintains a policy in which job applicants and current employees may be requested or required to submit to drug and alcohol testing in certain situations. This policy is intended to comply with applicable laws regarding drug and alcohol testing and privacy rights.

The unlawful manufacture, distribution, dispensing, possession, use, sale, or purchase of illegal drugs or contraband or testing positive for alcohol or unauthorized substances at any time is prohibited. Being under the influence of drugs, alcohol or other unauthorized substances during working hours, while on Company property or job sites, while on Company business of any kind or while operating equipment, machinery, or vehicles owned or leased by the Company is prohibited. Unauthorized use of substances includes prescription drugs not current, not taken in the manner prescribed, or use of prescription drugs not properly prescribed to the employee.

Drugs are defined as any drug listed or classified by the US Drug Enforcement Administration as a Schedule I drug or its metabolites or alcohol.

### **Required Testing**

Company employees are subject to the following types of substance testing under this policy:

- Pre-employment drug testing (non-DOT employees only)
- Reasonable suspicion drug and/or alcohol testing (non-DOT employees only)
- Job Specific/Job Required: On projects where it is the requirement of the Owner and/ or General Contractor employees will be tested according to the applicable contract requirements. (non-DOT and DOT employees)
- Follow-Up: Any employee who has been referred by the Company for chemical dependency treatment or evaluation or is participating on their own accord in a chemical dependency treatment program under an employee benefit plan, may be requested or required to undergo unannounced drug and/or alcohol testing during the chemical dependency treatment or evaluation period, and for up to one (1) year following completion of any prescribed chemical dependency treatment program. (non-DOT employees and DOT employees who do not meet the requirements to be tested under DOT regulations to return to work)

**DOT Regulated Positions:** All employees covered by the U.S. Department of Transportation Drug and Alcohol Testing Regulations will also be subject to a separate DOT Drug and Alcohol Testing Policy. This Non-DOT policy will only apply to DOT employees if the circumstance does not qualify for testing under DOT requirements.

### **Collection and Testing Procedures**

Drug and alcohol testing will be conducted in compliance with federal and state law.

Any testing required by the Company of its employees will occur during, or immediately before or after, the employee's regular work period. All testing is considered work time and the employee will be compensated as such. The actual costs for the initial drug and/or alcohol testing will be paid by the Company.

The Company shall use the services of an accredited, certified, or licensed testing laboratory. Employees and applicants will be required to present reliable identification to the person collecting their drug or alcohol sample. The employee/applicant will be required to provide a urine sample in a location that affords individual privacy. Absent a reasonable suspicion that the test subject will alter or substitute a urine specimen, the medical personnel will not directly observe the collection of the urine specimen.

Alcohol screening will be conducted using devices that appear on the National Highway Traffic Safety Administration's Conforming Products List. Breath alcohol screening will be conducted by

certified breath alcohol technicians. All positive breath alcohol screenings will be confirmed with a second confirmation screening. Alcohol testing and confirmation testing will be conducted in accordance with applicable law.

Specimens will be tested at the detection levels established by the Company in accordance with state and/or federal law. Reliable chain-of-custody procedures will be followed to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The chain of custody procedures shall meet the criteria as outlined by law, if applicable.

The Company will rely only on positive test results that have been confirmed by the method or methods of analysis established by governing law.

**The sample will be tested for the following drugs:**

Amphetamines/Methamphetamine/MDMA

Cannabinoids (Marijuana) – Not included in pre-employment

Cocaine

Opiates (Codeine, Morphine, Heroin, Oxycodone, Hydrocodone, Hydromorphone)

Phencyclidine (PCP)

Drug testing of employees will utilize the split specimen collection procedure under which an employee will have his/her urine specimen sealed in two separate containers with both containers being sent to the laboratory for testing. If an employee's first specimen screening result is positive, the first specimen will be tested again for confirmation.

Both prospective and current employees with a confirmed positive test for illegal drugs will be offered the opportunity to personally discuss the test result with the MRO or his/her representative. The MRO will follow up on such information as he/she deems appropriate. If the employee cannot be located, the MRO, or his/her representative, may request that the Company arrange for the employee to contact the MRO as soon as possible to discuss the results of the positive test. The MRO will communicate a positive result to the Company without discussing the result with the employee if the employee expressly declines the opportunity to discuss the results of the test, or if the employee is instructed by the Company to contact the MRO yet fails to do so within a timely manner. If the MRO finds no reason to doubt the validity of the confirmed positive test, that result as well as the identity of the illegal drug, will be conveyed to the Company contact.

**Suspension Pending Receipt of Test Results**

The Company may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test where it is reasonably necessary to protect the health and safety of the employee, his or her coworkers or the public. An employee who has been suspended without pay will be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

**Consequences**

To the extent allowed by law, any applicant who has a confirmed positive test will not be hired. To the extent allowed by law, any current employee who has a confirmed positive test will be terminated from employment with the Company. Any applicant or employee who refuses to cooperate in a drug test, as discussed below, will be considered to have committed misconduct and will have their employment terminated.

An employee/applicant is considered as testing positive for alcohol when their BAC is .04 or above. Employees that test between .02 and .039 BAC will not be allowed to return to work for twenty-four (24) hours from the time of the test. Such employees may also be required to retest before they return to work. Employees who twice tests between .02 and .039 BAC within a

twenty-four (24) month time period will be considered to have committed misconduct and will have their employment terminated.

Employees are subject to disciplinary action, up to and including termination, for other activities prohibited by this policy, including, but not limited to, possessing, selling, or buying drugs in the workplace, involvement with illegal drugs or contraband or other controlled substances, or involvement with alcohol or unauthorized substances in a way that would discredit the Company even if such activities are committed during non-working hours, as allowed by law.

### **Refusal to Test**

An applicant or employee may not refuse to take a drug and/or alcohol test when requested to do so, consistent with the terms of this policy. An individual will be considered as refusing to test if he/she:

1. refuses to take a test when so requested;
2. fails to provide an adequate breath, saliva, or urine sample without a valid medical explanation;
3. tampers with or attempt to adulterate the specimen;
4. interferes with the collection procedure;
5. does not immediately report to the collection site;
6. fails to remain at the collection site until the collection process is complete;
7. has a test result reported by an MRO as adulterated or substituted; or
8. leaves the scene of an accident without a valid reason before the tests have been conducted.

### **Submission of an Adulterated or Diluted Specimen**

An adulterated specimen is a urine specimen that the collection technician finds to be out of temperature or is otherwise not a true specimen, or where the testing laboratory finds the specimen to contain a substance that is either not urine or is not the donor's urine. If the collection technician or the testing laboratory determines that an employee or applicant has submitted an adulterated specimen, the test will be considered positive.

Individuals are advised to avoid drinking large quantities of water (no more than 40 fl oz or 5 cups of water) prior to submitting their specimen for testing as it may result in their specimen being diluted. If it is determined by the collection technician or the testing laboratory that an employee or applicant's specimen is diluted, they will be required to provide a second specimen for testing. If the individual is directed to take another test and declines to do so, the individual has refused the test for purpose of this part.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed as allowed by law.

### **Inspections**

The Company reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees, and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to, and including, termination.

## **Crimes Involving Drugs**

The Company prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Law enforcement personnel will be notified, as appropriate, when criminal activity is suspected.

The Company recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the Company reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off company premises.

All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to HR within five days. Failure to comply with this reporting requirement will result in automatic termination.

## **Reporting Medication Use**

Employees should report to work fit for duty. This policy does not prohibit employees from the lawful use and possession of prescribed or over-the-counter medications; however, some of these drugs, even if used in a manner consistent with the prescribed or recommended dosage, can interfere with job performance and raise safety concerns. Employees of the Company, who: (1) work in safety-sensitive positions; (2) operate Company cars; (3) operate personal or rental vehicles on Company business; or (4) when applicable, positions that require an employee to be around heavy machinery, must advise Human Resources if they are taking prescription or over-the-counter medication that the employee and/or his/her doctor believes will prevent the employee from safely performing his/her job duties. When making this disclosure, employees are not required to disclose the name of the prescription medication or the reason why the prescription medication is being used. Failure to timely notify may result in disciplinary action up to, and including, termination.

Employees subject to the Department of Transportation regulations must comply with the disclosure requirements in the regulations. If you have any questions regarding the DOT disclosure requirements please see your supervisor.

## **Substance Abuse Awareness**

Illegal drug use and alcohol misuse have many serious adverse health and safety consequences. Information about those consequences and sources of help for drug or alcohol problems is available from the HR department, which has been trained to make referrals and to assist employees with drug or alcohol problems.

## **Employee Assistance**

Employees who suffer from an alcohol or other substance abuse problem, or who are currently using alcohol or other unauthorized substances in a manner that violates this policy, are urged to acknowledge the problem and seek assistance. They may do so by contacting the Employee Assistance Program at 800-841-5144. Records associated with substance abuse counseling or the Employee Assistance Program will be kept confidential, except to the extent disclosure is permitted or required by law. However, enrollment in a treatment program will not excuse a violation of this policy or any work rule.

If an employee advises the Company that he or she has initiated substance abuse counseling and/or treatment, and the employee has no associated performance problems or other suspected violations of this or other Company policies and the employee has not been informed of upcoming testing, then the employee will not be terminated on the basis of the disclosure. However, the Company will require that the employee undergo a professional assessment with the Employee Assistance Program, successfully complete a rehabilitation program, and meet the requirements of a return-to-work agreement as conditions of continued employment

including follow-up substance abuse testing. Follow-up testing will be conducted in accordance with the recommendations of the substance abuse counselor or designee and as allowed by law.

Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline up to, and including, discharge will be enforced.

### **Independent Contractors/Personnel Agencies**

All independent contractors who perform services for the Company are expected to be free from the influence of alcohol, illegal substances, or any other substances that could interfere with job performance or raise safety concerns while on Company premises, projects, or business. Any violation of this rule will be grounds for excluding a contractor, an employee of a contractor, or an individual furnished by a personnel agency from the Company's premises, business or projects.

### **State and Federal Laws and Regulations**

To the extent that this policy is in conflict with state or federal law, the applicable state or federal law shall pre-empt this policy.

This policy does not in any way affect or change the status of any at-will employee. Nothing in this policy is a promise or guarantee or should be construed as a promise or guarantee that the Company will follow in any particular circumstances any particular disciplinary course of action or other course of action not mandated by applicable law.

## **Obligations of Employees under this Policy**

### **A. Supervisors**

Supervisors must observe the employees they supervise. If a supervisor suspects that an employee is under the influence of alcohol and/or drugs, he/she should notify Human Resources immediately.

### **B. All Employees**

1. An employee who suspects that another employee is under the influence of alcohol and/or drugs must notify his/her supervisor or Human Resources immediately.
2. An employee who is taking a prescription medication under a physician's supervision must notify his/her supervisor or the Human Resources department if the medication is likely to impair the employee's ability to perform his/her job.
3. An employee who is convicted of violating any criminal drug statute, whether on or off Company premises, must report that conviction to the Human Resources Department within five (5) days of the conviction.
4. An employee participating in the Employee Assistance Program will authorize treatment providers to provide information relating to the employee's cooperation in and successful completion of the program to the Company's Human Resources Manager.

If an employee fails to meet his/her obligations under this Policy, he/she will be subject to disciplinary action, up to and including, immediate termination.

## **Obligations of Suppliers, Contractors and Other Agents under this Policy**

As a condition of doing business with the Company in New Hampshire, all suppliers, contractors or other agents will strictly comply and ensure that their employees strictly comply with this policy while doing business with the Company, on Company property or Company job locations.



## **Publication of this Policy**

This policy is available for inspection and review in the Human Resources Department. The Company will provide copies of this Policy to its suppliers, contractors and other agents.

## **ALCOHOL AND DRUG ABUSE POLICY – VERMONT NON-DOT EMPLOYEES**

Pike Industries is committed to providing a safe, healthy and productive workplace that is free from alcohol and unlawful drugs as classified under local, state or federal laws, including marijuana, while employees are working on the employer's premises (either on or off duty) and while operating employer-provided vehicles.

In furtherance of this commitment, the Company maintains a policy in which job applicants and current employees may be requested or required to submit to drug and alcohol testing in certain situations. This policy is intended to comply with applicable laws regarding drug and alcohol testing and privacy rights.

The unlawful manufacture, distribution, dispensing, possession, use, sale, or purchase of illegal drugs or contraband or testing positive for alcohol or unauthorized substances at any time is prohibited. Being under the influence of drugs, alcohol or other unauthorized substances during working hours, while on Company property or job sites, while on Company business of any kind or while operating equipment, machinery, or vehicles owned or leased by the Company is prohibited. Unauthorized use of substances includes prescription drugs not current, not taken in the manner prescribed, or use of prescription drugs not properly prescribed to the employee.

Drugs are defined as any drug listed or classified by the US Drug Enforcement Administration as a Schedule I drug or its metabolites or alcohol.

### **Required Testing**

Company employees are subject to the following types of substance testing under this policy:

- Pre-employment drug testing
- Reasonable suspicion drug and/or alcohol testing: The Company has probable cause to believe the employee is using or is under the influence of a drug on the job

**DOT Regulated Positions:** All employees covered by the U.S. Department of Transportation Drug and Alcohol Testing Regulations will also be subject to a separate DOT Drug and Alcohol Testing Policy. This Non-DOT policy will only apply to DOT employees if the circumstance does not qualify for testing under DOT requirements.

### **Collection and Testing Procedures**

Drug and alcohol testing will be conducted in compliance with federal and state law.

Any testing required by the Company of its employees will occur during, or immediately before or after, the employee's regular work period. All testing is considered work time and the employee will be compensated as such. The actual costs for the initial drug and/or alcohol testing will be paid by the Company.

The Company shall use the services of an accredited, certified, or licensed testing laboratory approved by the Vermont Department of Health. The Company will transport an employee/applicant



who will be tested to a designated facility for testing. Employees and applicants will be required to present reliable identification to the person collecting their drug or alcohol sample. The employee/applicant will be required to provide a urine sample in a location that affords individual privacy. Absent a reasonable suspicion that the test subject will alter or substitute a urine specimen, the medical personnel will not directly observe the collection of the urine specimen.

Alcohol screening will be conducted using devices that appear on the National Highway Traffic Safety Administration's Conforming Products List. Breath alcohol screening will be conducted by certified breath alcohol technicians. All positive breath alcohol screenings will be confirmed with a second confirmation screening. Alcohol testing and confirmation testing will be conducted in accordance with applicable law.

Specimens will be tested at the detection levels established by the Company in accordance with state and/or federal law. Reliable chain-of-custody procedures will be followed to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The employee or applicant will be asked to witness the labeling and sealing of all test samples.

The Company will rely only on positive test results that have been confirmed by the method or methods of analysis established by governing law.

**The sample will be tested for the following drugs:**

Amphetamines/Methamphetamine/MDMA

Cannabinoids (Marijuana) – Not included in pre-employment testing

Cocaine

Opiates (Codeine, Morphine, Heroin, Oxycodone, Hydrocodone, Hydromorphone)

Phencyclidine (PCP)

Drug testing of employees will utilize the split specimen collection procedure under which an employee will have his/her urine specimen sealed in two separate containers with both containers being sent to the laboratory for testing. If an employee's first specimen screening result is positive, laboratory will perform the test again by gas chromatography with mass spectrometry or an equivalent scientifically accepted method that provides quantitative data about the detected drugs or drug metabolites for confirmation.

Both prospective and current employees with a confirmed positive test for illegal drugs will be offered the opportunity to personally discuss the test result with the Medical Review Officer or his/her representative. The laboratory will provide the MRO with a written report of the test result, which must include:

- The identifier code of the person tested.
- The type of test conducted for initial screening and confirmation.
- The result of each test.
- The cut-off level used for detection on both the initial screening and confirmation procedures.
- The name and address of the laboratory.
- Any other information provided by the laboratory regarding a particular test.

The MRO will provide the employee or applicant an opportunity to retest a portion of the sample at an independent laboratory at the expense of the employee or applicant. The results of that test will be considered by the MRO.

If the employee cannot be located, the MRO, or his/her representative, may request that the Company arrange for the employee to contact the MRO as soon as possible to discuss the results of the positive test. The MRO will communicate a positive result to the Company without discussing

the result with the employee if the employee expressly declines the opportunity to discuss the results of the test, or if the employee is instructed by the Company to contact the MRO yet fails to do so within a timely manner.

If the MRO finds no reason to doubt the validity of the confirmed positive test, that result as well as the identity of the illegal drug, will be conveyed to the Company contact. Therapeutic levels of medically prescribed drugs will be reported to the Company as a negative test result.

Positive samples will be preserved for at least 90 days after testing in case retesting is necessary.

### **Suspension Pending Receipt of Test Results**

The Company may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test where it is reasonably necessary to protect the health and safety of the employee, his or her coworkers or the public. An employee who has been suspended without pay will be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

### **Consequences**

An employee/applicant is considered as testing positive for alcohol when their BAC is .04 or above. Employees that test between .02 and .039 BAC will not be allowed to return to work for twenty-four (24) hours from the time of the test. Such employees may also be required to retest before they return to work. Employees who twice tests between .02 and .039 BAC within a twenty-four (24) month time period will be treated as having tested positive for alcohol.

Any applicant who has a confirmed positive test will not be hired.

An employee will not be terminated if the test result is positive and the employee agrees to participate in and successfully completes a rehabilitation program. However, the employee will be suspended without pay for the period of time necessary to complete the program, but in no event longer than three months. The employee may be terminated if the employee fails to successfully complete the program or if, after completion of the program, the Company subsequently administers a probable cause drug test in and the test is positive.

Any applicant or employee who refuses to cooperate in a drug test, as discussed below, will be considered to have committed misconduct and will have their employment terminated.

Employees are subject to disciplinary action, up to and including termination, for other activities prohibited by this policy, including, but not limited to, possessing, selling, or buying drugs in the workplace, involvement with illegal drugs or contraband or other controlled substances, or involvement with alcohol or unauthorized substances in a way that would discredit the Company even if such activities are committed during non-working hours, as allowed by law.

### **Refusal to Test**

An applicant or employee may not refuse to take a drug and/or alcohol test when requested to do so, consistent with the terms of this policy. An individual will be considered as refusing to test if he/she:

1. refuses to take a test when so requested;
2. fails to provide an adequate breath, saliva, or urine sample without a valid medical explanation;
3. tampers with or attempt to adulterate the specimen;
4. interferes with the collection procedure;

5. does not immediately report to the collection site;
6. fails to remain at the collection site until the collection process is complete;
7. has a test result reported by an MRO as adulterated or substituted; or
8. leaves the scene of an accident without a valid reason before the tests have been conducted.

### **Submission of an Adulterated or Diluted Specimen**

An adulterated specimen is a urine specimen that the collection technician finds to be out of temperature or is otherwise not a true specimen, or where the testing laboratory finds the specimen to contain a substance that is either not urine or is not the donor's urine. If the collection technician or the testing laboratory determines that an employee or applicant has submitted an adulterated specimen, the test will be considered positive.

Individuals are advised to avoid drinking large quantities of water (no more than 40 fl oz or 5 cups of water) prior to submitting their specimen for testing as it may result in their specimen being diluted. If it is determined by the collection technician or the testing laboratory that an employee or applicant's specimen is diluted, they will be required to provide a second specimen for testing. If the individual is directed to take another test and declines to do so, the individual has refused the test for purpose of this part.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information will only be disclosed to the individual tested, by court order or process in connection with an action under Vermont's drug testing law, or by the individual's written consent.

### **Inspections**

The Company reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees, and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to, and including, discharge.

### **Crimes Involving Drugs**

The Company prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Law enforcement personnel will be notified, as appropriate, when criminal activity is suspected.

The Company recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the Company reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off company premises.

All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to HR within five days. Failure to comply with this reporting requirement will result in automatic discharge.

## **Reporting Medication Use**

Employees should report to work fit for duty. This policy does not prohibit employees from the lawful use and possession of prescribed or over-the-counter medications; however, some of these drugs, even if used in a manner consistent with the prescribed or recommended dosage, can interfere with job performance and raise safety concerns. Employees of the Company, who: (1) work in safety-sensitive positions; (2) operate Company cars; (3) operate personal or rental vehicles on Company business; or (4) when applicable, positions that require an employee to be around heavy machinery, must advise Human Resources if they are taking prescription or over-the-counter medication that the employee and/or his/her doctor believes will prevent the employee from safely performing his/her job duties. When making this disclosure, employees are not required to disclose the name of the prescription medication or the reason why the prescription medication is being used. Failure to timely notify may result in disciplinary action up to, and including, termination.

Employees subject to the Department of Transportation regulations must comply with the disclosure requirements in the regulations. If you have any questions regarding the DOT disclosure requirements please see your supervisor.

## **Substance Abuse Awareness**

Illegal drug use and alcohol misuse have many serious adverse health and safety consequences. Information about those consequences and sources of help for drug or alcohol problems is available from the HR department, which has been trained to make referrals and to assist employees with drug or alcohol problems.

## **Employee Assistance**

Employees who suffer from an alcohol or other substance abuse problem, or who are currently using alcohol or other unauthorized substances in a manner that violates this policy, are urged to acknowledge the problem and seek assistance. They may do so by contacting the Employee Assistance Program at 800-841-5144. Records associated with substance abuse counseling or the Employee Assistance Program will be kept confidential, except to the extent disclosure is permitted or required by law. However, enrollment in a treatment program will not excuse a violation of this policy or any work rule.

If an employee advises the Company that he or she has initiated substance abuse counseling and/or treatment, and the employee has no associated performance problems or other suspected violations of this or other Company policies and the employee has not been informed of upcoming testing, then the employee will not be terminated on the basis of the disclosure. However, the Company will require that the employee undergo a professional assessment with the Employee Assistance Program, successfully complete a rehabilitation program, and meet the requirements of a return-to-work agreement as conditions of continued employment including follow-up substance abuse testing. Follow-up testing will be conducted in accordance with the recommendations of the substance abuse counselor or designee and as allowed by law.

Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline up to, and including, discharge will be enforced.

## **Independent Contractors/Personnel Agencies**

All independent contractors who perform services for the Company are expected to be free from the influence of alcohol, illegal substances, or any other substances that could interfere with job performance or raise safety concerns while on Company premises, projects, or business. Any violation of this rule will be grounds for excluding a contractor, an employee of a contractor, or an individual furnished by a personnel agency from the Company's premises, business or projects.

## **State and Federal Laws and Regulations**

To the extent that this policy is in conflict with state or federal law, the applicable state or federal law shall pre-empt this policy.

This policy does not in any way affect or change the status of any at-will employee. Nothing in this policy is a promise or guarantee or should be construed as a promise or guarantee that the Company will follow in any particular circumstances any particular disciplinary course of action or other course of action not mandated by applicable law.

## **Obligations of Employees under this Policy**

### **A. Supervisors**

1. Supervisors must observe the employees they supervise. If a supervisor suspects that an employee is under the influence of alcohol and/or drugs, he/she should notify Human Resources immediately.
2. When a supervisor determines that there is probable cause to suspect that drugs and/or alcohol impair, in the slightest degree, an employee's ability to work safely, the supervisor will make sure that the employee does not work, is not on a work site and does not operate or attempt to operate Company equipment or vehicles.
3. When a supervisor determines that an employee should have an alcohol and/or drug test, the supervisor will arrange for the employee to be transported to the test site. The supervisor will not allow an employee to transport himself/herself to the test site or to operate any Company equipment or vehicles. The supervisor will make sure that the employee is observed and not left alone from the time the decision is made to test until the test is completed. Once the test is completed, the supervisor will arrange for the employee to be transported from the test site to the work place or, when appropriate, the employee's home or a health care facility.

### **B. All Employees**

1. An employee who suspects that another employee is under the influence of alcohol and/or drugs must notify his/her supervisor or Human Resources immediately.
2. An employee who is taking a prescription medication under a physician's supervision must notify his/her supervisor or the Human Resources department if the medication is likely to impair the employee's ability to perform his/her job.
3. An employee who is convicted of violating any criminal drug statute, whether on or off Company premises, must report that conviction to the Human Resources Department within five (5) days of the conviction.
4. An employee participating in the Employee Assistance Program will authorize treatment providers to provide information relating to the employee's cooperation in and successful completion of the program to the Company's Human Resources Manager.

If an employee fails to meet his/her obligations under this Policy, he/she will be subject to discipline, up to and including termination.

## **Obligations of Suppliers, Contractors and Other Agents under this Policy**

As a condition of doing business with the Company in Vermont, all suppliers, contractors or other agents will strictly comply and ensure that their employees strictly comply with this policy while doing business with the Company, on Company property or Company job locations.

## **Publication of Policy**

This policy is available for inspection and review in the Human Resources Department.

The Company will provide copies of this Policy to its suppliers, contractors and other agents.

## **U.S. Department of Transportation** **Federal Motor Carrier Safety Administration (FMCSA)** **Drug/Alcohol-Free Workplace Policy**

### **PURPOSE AND COVERAGE**

The U.S. Department of Transportation (DOT) and the Federal Motor Carrier Safety Administration (FMCSA), an agency within the DOT, have issued regulations (49 CFR, Parts 40 & 382, hereinafter referred to as "DOT regulations") which govern the use of drugs and alcohol by employees who hold a Commercial Driver's License (CDL) and drive a Commercial Motor Vehicle (CMV). The DOT requires Pike Industries ("Company") to conduct drug and alcohol testing of certain of its DOT drivers at the times and under the conditions described in this Policy. The regulations apply to every person who operates a CMV in interstate, foreign, or intrastate commerce, to all employers of such persons and to all states. Please direct all questions regarding this Policy to Human Resources at 603-657-5175.

It is the Company's intention to comply fully with DOT regulations. In the event DOT regulations are amended or revised, the Policy and the applicable terms, conditions, and/or requirements shall be deemed to have been amended automatically. Redrafting will not be necessary in order to reflect and be in compliance with DOT regulations. The Company reserves the right to apply any amendments or revised requirements immediately, without giving prior notice to drivers and/or applicants or other employees covered by this Policy, unless DOT regulations or other applicable law requires such notice.

The goal of the Company's DOT Policy and the testing of drivers is to ensure a drug and alcohol free transportation and work environment, to reduce and eliminate drug and alcohol related accidents, injuries, fatalities, and damage to Company property. For the purpose of this Policy, any employee performing under the definitions described below will be referred to as "driver."

In this Policy, Company policies/actions based on Company authority independent of DOT regulatory requirements is underlined.

### **CRITERIA FOR EMPLOYEES SUBJECT TO TESTING**

Under this Policy and DOT Federal Motor Carrier Safety Administration (FMCSA) regulations, drivers who hold a CDL and drive a CMV are subject to the drug and alcohol testing in accordance with federal regulations. CMV means a motor vehicle or a combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- having a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater; or

- having a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater; or;
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to have a placard under the Hazardous Materials Regulations.

All applicants for positions as a driver subject to DOT testing or for a safety-sensitive position, which includes driving, will be notified of this Drug-Free Workplace Program (DFWP) at the time they apply for the position.

## **DEFINITION OF “SAFETY-SENSITIVE”**

Safety-sensitive function means all time, from the time a driver begins to work, or is required to be in readiness to work, until the time he or she is relieved from work and all responsibility for performing work.

For the purpose of this Policy and the Company’s DOT drug and alcohol testing program, employees are considered to be performing a safety-sensitive function and subject to drug and/or alcohol testing at the following times:

- All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
- All time inspecting equipment as required by 49 CFR §§ 392.7 and 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- All time spent at the driving controls of a commercial motor vehicle in operation;
- All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;
- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

## **DEFINITIONS**

Definitions as used under this Policy are set forth below and in greater detail in 49 CFR §§ 40.3 and 382.107.

### **Drug:**

For purposes of this Policy, “drug” means a controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC § 812. Pursuant to DOT regulations, all DOT-required drug tests must test for the following substances identified in 49 CFR § 40.85: marijuana, cocaine, amphetamines, opioids and phencyclidine.

### **Confirmation Test:**

**Alcohol:** A second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.

**Drugs:** A second analytical procedure to identify and quantify the presence of a specific drug or metabolite that is independent of the screening test.



**Disabling Damage:**

Damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

- Included:** 1. Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.
- Excluded:** 1. Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
2. Tire disablement without other damage even if no spare tire is available.
3. Headlight or taillight damage.
4. Damage to turn signals, horn, or windshield wipers, which makes them inoperative.

**Dilute Specimen**

A specimen with creatinine and specific gravity values that are lower than expected for human consumption.

**Driver:**

Any person who holds a CDL and operates a CMV, which falls under the specific DOT criteria. This includes, but is not limited to, full-time or part-time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

**Refuse to Submit:**

A refusal to submit to a required drug and/or alcohol test means that a driver:

1. Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by the Company, consistent with applicable DOT agency regulations, after being directed to do so by the Company. This includes the failure of an employee (including an owner-operator) to appear for a test when called by the Company's Consortium/Third-Party Administrator (C/TPA);
2. Fails to remain at the testing site until the testing process is complete.
3. Fails to provide a specimen(s) for any drug and/or alcohol test required by Part 382 or other DOT agency regulations.
4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of a specimen;
5. Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take a second test the Company or collector has directed the driver to take (see, for instance, 49 CFR §40.197(b));
7. Fails to undergo a medical examination or evaluation as directed by the MRO as part of the verification process, or as directed by the DER pursuant to 49 CFR § 40.193 or § 40.265(c);
8. Fails to sign the certification at Step 2 of the ATF;
9. Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or
10. Is reported by the MRO as having a verified adulterated or substituted test result.



Any driver who refuses to submit to a required drug and/or alcohol test or otherwise fails to cooperate with any part of the testing process is in violation of this Policy. Any driver who refuses such a test will be subject to the consequences described in the “Consequences for Policy Violations” section.

### **Substituted Specimen**

A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

## **TESTS REQUIRED**

In general, DOT regulations require that the Company conduct, and a driver submit to, drug and/or alcohol tests at the following times and under the following conditions:

### **PRE-EMPLOYMENT**

A drug test is required before any driver-applicant will be hired to perform a safety-sensitive function. A drug test will also be required before any current employee in a non-regulated position will be assigned, transferred or otherwise permitted to operate a commercial motor vehicle on behalf of the Company for the first time. Prior to taking a pre-employment drug test, the applicant will be given forms notifying the applicant to report for a drug test. All offers by the Company to hire an applicant for, or to assign or transfer an applicant to, a driver position (including offers to re-hire after layoff by the Company) are conditioned upon the applicant:

- Signing the Certificate of Receipt attached to this Policy
- Taking a drug test as directed by the Company and a negative test result;
- Authorizing the Company to obtain or attempt to obtain, as required by regulation, past drug and alcohol test results including safety sensitive inquiries. The information the Company will seek includes any refusals to test from each DOT-regulated employer for whom the driver either worked, took, or refused to take, a drug and/or alcohol test during the past three (3) years; and regulated safety sensitive functions inquiries.
- Providing the Company with information regarding whether they have tested positive or refused to test on any DOT required pre-employment drug or alcohol test in which the applicant applied for, but did not obtain a safety-sensitive position in the preceding two (2) years.
- Passing DOT-required physical exam required for driver positions;

Pursuant to DOT regulations, the Company must make a “good faith effort” to obtain a driver’s previous testing information from the driver’s prior DOT-regulated employers, and such prior employers are required to provide the previous testing information to the Company. This information should be obtained before the driver first performs safety-sensitive functions, unless this is not feasible, in which case the information should be obtained as soon as possible. In any event, a driver will not be allowed to perform a safety-sensitive function after 30 days from the date he or she first performed a safety-sensitive function, unless the Company has obtained or made and documented a good faith effort to obtain the previous testing information. In addition, applicants must also complete a separate form indicating whether they have tested positive or refused to test on any pre-employment drug or alcohol test administered by an employer to which the applicant applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol rules during the past two (2) years.

Note: Effective January 6, 2020 the following personal information collected and maintained under DOT FMCSA motor carrier drug and alcohol testing regulations will be reported to a DOT-established Commercial Driver’s License Drug and Alcohol Clearinghouse database:

- (i) A verified positive, adulterated, or substituted drug test result;
- (ii) An alcohol confirmation test with a concentration of 0.04 or higher;
- (iii) A refusal to submit to any test required by DOT motor carrier regulations;
- (iv) An employer's report of actual knowledge, as defined by DOT motor carrier regulations of:
  - (A) On duty alcohol use (pursuant to 49 C.F.R. §382.205);
  - (B) Pre-duty alcohol use (pursuant to 49 C.F.R. §382.207);
  - (C) Alcohol use following an accident (pursuant to 49 C.F.R. §382.209); and
  - (D) Controlled substance use (pursuant to 49 C.F.R. §382.213);
- (v) A DOT substance abuse professional report of the successful completion of the return-to-duty process;
- (vi) A negative return-to-duty test; and,
- (vii) An employer's report of completion of follow-up testing.

Prior to the first time a current employee performs a safety-sensitive function for the Company, the employee will undergo a drug test. The Company will not allow an employee to perform a safety-sensitive function unless and until the Company has received a negative test result for the employee.

A verified positive drug test will disqualify an applicant/employee from a safety-sensitive position and the conditional offer of employment in such a position will be withdrawn. Before an applicant/employee with a verified positive pre-employment drug test may be reconsidered for a safety-sensitive position with the Company or any other DOT-regulated employer, the applicant/employee must complete the DOT-required Post-Violation/Return-to-Duty process as described herein.

## **POST-ACCIDENT**

A driver who is performing a safety-sensitive function must submit to a post-accident drug and alcohol test as soon as possible after any occurrence that meets the description of a "DOT Accident." For purposes of this Policy and the Company's drug and alcohol testing program, a "DOT Accident" is defined as an occurrence involving a commercial motor vehicle operating on a public road in commerce which results in:

- A loss of human life; **or**
- The driver receiving a citation under state or local law for a moving traffic violation arising from the accident if the accident involved:
  - Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; and/or;
  - One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

A driver may be directed to submit to a drug and/or alcohol test at the accident scene by a federal, state, or local law enforcement officer. Whenever a test is conducted by a law enforcement officer, the driver is required to immediately contact his/her supervisor or other Company official to report the drug and/or alcohol test result and to provide the Company with the name, badgenumber, and telephone number of the law enforcement officer who conducted the test.

Whenever a driver is involved in a DOT accident and is not tested for drugs and/or alcohol by a law enforcement official, the driver is required to immediately contact his/her supervisor or other Company official and remain available to be tested. A driver who is subject to post-accident testing must remain available for testing or the Company may consider the driver to have refused to submit

to testing. The procedures should be followed as detailed on the Driver's Post-Accident Checklist. **(Note: A Driver's Post-Accident Checklist will be provided to all drivers).**

#### **Alcohol:**

Tests should be administered within two (2) hours of an accident. If unable to test within the two (2) hour time period, the employer must document the reason(s) for the time delay. If the test was not performed within eight (8) hours, cease attempts to administer the test and document the reason(s) why the test was not conducted.

The driver must refrain from consuming alcohol for eight (8) hours after an accident and/or until the test has been completed. A driver who is subject to post-accident testing must remain available or the employer may consider the driver to have refused to submit to testing.

#### **Drugs:**

Tests should be administered within thirty-two (32) hours after an accident. If the test was not performed within thirty-two (32) hours, the employer will cease attempts and prepare and maintain a record stating the reason(s) why the test was not conducted.

In the event of a DOT Accident that involves a traffic citation, the citation must have been issued within the foregoing prescribed time periods (8 hours for alcohol and 32 hours for drugs from the time of the accident) to trigger a referral for a DOT post-accident test. In the event a traffic citation is not issued within the prescribed time periods and no DOT post-accident test is performed, the Company reserves the right, as recognized by the DOT, to require a non-DOT post-accident test based on its independent authority and discretion, and within the limits, if any, of applicable law. Drivers should refer to the Company's non-DOT policy concerning non-DOT testing.

#### **RANDOM**

Every driver shall submit to random testing as directed by the Company pursuant to DOT regulations. All such tests will be unannounced and performed at reasonable intervals throughout the year. Whenever a driver is randomly selected to be tested, he/she will be notified of their selection and instructed to immediately report to the collection site. A driver who tests positive or refuses to submit to a test is medically unqualified to drive and/or perform any other safety-sensitive function.

Each driver selected for random testing shall be tested during the selection period. If a driver selected for random testing is on vacation, temporary layoff, medical leave or otherwise not at work, the driver must be referred for a random test upon his/her return to work. The Company will not skip or select an alternate in the event a selected driver is unavailable for testing on any particular day during the random selection period. If a driver selected for random testing does not return to work before the beginning of a new random selection period (i.e., the next random draw), the Company will ensure that a sufficient number of drivers are subsequently selected so the annual testing rate is not less than the minimum annual percentage rates established by the FMCSA for random drug and alcohol testing.

#### **Alcohol:**

The annual rate for random alcohol testing is set by the FMCSA. Drivers may be tested just before, during, or just after performing a safety-sensitive function.

#### **Drugs:**

The annual rate for random drug testing is set by the FMCSA. Drivers may be tested at any time while the employee is at work for the Company.

## REASONABLE SUSPICION

Each driver is required to submit to a drug and/or alcohol test whenever the Company has reasonable suspicion (also referred to as “reasonable cause”) to believe that a driver has used drugs/alcohol in violation of DOT regulations. Reasonable suspicion will exist when a driver’s appearance, behavior, speech, and/or body odors indicate drug/alcohol use, or the chronic and withdrawal effects of drugs/alcohol. Whenever a driver is notified that there is reasonable suspicion to be tested, the driver is expected to report to the test/collection site immediately and will be escorted. Documentation of the employee’s conduct and/or appearance leading to a reasonable suspicion drug/alcohol test must be prepared and signed by the supervisor or Company official who made the observations within twenty-four (24) hours of the observed behavior, or before the results of the drug/alcohol test are released, whichever is earlier. The **Reasonable Suspicion form** should be used for this purpose.

## RETURN-TO-DUTY

A driver who has been removed from his/her safety-sensitive function due to a DOT drug or alcohol regulation violation (e.g., a positive test, refusal to test, etc.) must provide a negative drug and/or alcohol test before being allowed to return to a safety-sensitive function. This test must be completed after an initial and follow-up evaluation by a Substance Abuse Professional (SAP), after the SAP’s determination that the driver has successfully complied with prescribed education and/or treatment, and before resuming performance of a safety-sensitive function. The result of the alcohol test must be less than 0.02.

The return-to-duty drug test is not limited to a specific substance (i.e. the particular drug for which the driver tested positive). Additionally, if the SAP determines that a multiple-substance abuse problem exists, a drug test may be performed in conjunction with an alcohol test.

## POST-REHABILITATION/FOLLOW-UP

A driver who has violated a DOT drug and/or alcohol regulation (e.g., positive test, refusal to test, etc.) must be evaluated by a SAP and follow the prescribed rehabilitation/treatment program. Following the determination that an employee needs to resolve problems associated with drug abuse and/or alcohol misuse, the Company will ensure that the employee is subject to unannounced, follow-up drug and/or alcohol testing as determined by the SAP. At a minimum, such testing must consist of at least six unannounced follow-up tests in the first 12-months following the driver’s return to safety-sensitive functions. The choice of the SAP and the assignment of costs shall be made in accordance with employer/driver agreements and employer policies. Follow-up alcohol testing must only be conducted just before, during, or just after a driver performs a safety-sensitive function.

## POLICY PROHIBITIONS

Employee involvement with drugs and/or alcohol can adversely affect the work environment, job performance, and safety of all employees. Violation of the prohibitions of this Policy will be considered to be serious misconduct and may result in termination.

### Drug Prohibitions:

The regulations prohibit any drug use that could affect performance of a safety-sensitive function. Listed below are the prohibitions with respect to drug use.

- No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any drugs, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the driver that the drug will not adversely affect the driver’s ability to safely operate a CMV.
- No employer having actual knowledge that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety-sensitive function.

- An employer may require a driver to inform the employer of any therapeutic drug use.
- No driver shall report for duty, remain on duty or perform a safety-sensitive function if the driver tests positive for controlled substances. No employer having actual knowledge that a driver has tested positive for controlled substances shall permit the driver to perform or continue to perform safety-sensitive functions.
- No driver shall refuse to submit to a drug test required pursuant to DOT regulations.

### **Alcohol Prohibitions:**

The regulations prohibit any alcohol use that could affect performance of a safety-sensitive function. Listed below are the prohibitions with respect to alcohol use.

- No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No employer having actual knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety-sensitive functions.
- No driver shall use alcohol while performing safety-sensitive functions or perform such functions within four (4) hours after using alcohol. No employer having actual knowledge that a driver has used alcohol while performing safety-sensitive functions, or used alcohol within four (4) hours immediately preceding the performance of such functions, shall permit a driver to perform or continue to perform safety-sensitive functions.
- No driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
- No driver shall refuse to submit to an alcohol test required pursuant to DOT regulations.

**NOTE:** A DOT-regulated employee found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions for at least twenty-four (24) hours.

## **CONSEQUENCES FOR POLICY VIOLATIONS**

### **Removal from Safety-Sensitive Function/Temporary Non-Safety Sensitive Relief Work:**

Employees and applicants shall not perform, nor be permitted to perform, a safety-sensitive function, including driving a commercial motor vehicle as previously defined in this Policy, if any of the above prohibitions, or the drug and/or alcohol rule of another DOT agency, are violated. Employees and applicants who violate a DOT drug and alcohol regulation will be advised by the Company of the resources available in evaluating and resolving drug and/or alcohol problems, including the names, addresses, and telephone numbers of Substance Abuse Professionals (SAPs) and counseling and treatment programs.

### **Post-Violation/Return-to-Duty Procedures:**

An employee who has violated a DOT drug and/or alcohol regulation cannot again perform any DOT safety-sensitive duties for the Company or any DOT-regulated employer until and unless the employee has completed the SAP evaluation, referral and education/treatment process. For purposes of this Policy, a DOT drug and/or alcohol regulation violation includes a verified positive DOT drug test, a DOT alcohol test with a result indicating an alcohol concentration of .04 or greater, a refusal to test (including by adulterating or substituting a urine specimen) or any other violation of the prohibition on the use of alcohol or drugs under a DOT agency regulation.

Before a driver who has violated a DOT drug and/or alcohol regulation can return to a safety-sensitive position, he or she must:

- Meet with a Substance Abuse Professional (SAP) for an initial evaluation;
- Properly follow all SAP evaluation recommendations for assistance and referrals, to an education and/or treatment program;
- Meet with the SAP for a follow-up evaluation to determine whether the individual has successfully complied with the SAP's education and/or treatment recommendations;
- Take and provide a negative return-to-duty drug and/or alcohol test; and
- Be subject to post-rehabilitation/follow-up testing as determined by the SAP for up to sixty (60) months, to include a minimum of six (6) follow-up tests in the first twelve (12) months after the return-to-duty test with an alcohol concentration of less than 0.02 and a negative drug test. The SAP may terminate the requirement for the follow-up testing at any time after the first six (6) tests have been administered, if the SAP determines that such testing is no longer necessary.

### **Employee Discipline:**

Employees who engage in any of the prohibited conduct listed above are in violation of this Policy and are subject to discipline, up to and including termination, at the Company's sole discretion pursuant to the Company's authority independent of DOT requirements.

Any employee who refuses to submit to testing or attempts to adulterate or substitute a specimen will be terminated.

A driver found to have an alcohol concentration of 0.02 or greater, but less than 0.04, shall not perform nor be permitted to work for at least twenty-four (24) hours.

### **VOLUNTARY ADMISSION OF DRUG/ALCOHOL USE**

The Company encourages all employees who need assistance in dealing with alcohol abuse or drug dependency problems to seek appropriate counseling and/or treatment through various private and public organizations that are available. Accordingly, employees who voluntarily come forward and admit to alcohol misuse or drug use will not be subject to disciplinary action or the Post-Violation/Return-to-Duty Procedures described above (i.e. the SAP evaluation, referral and treatment requirements set forth in Parts 40 and 382). Rather, employees who self-identify their need for assistance will be allowed sufficient opportunity to seek evaluation, education or treatment to establish control over their drug or alcohol problem.

Employees must make any such admission or self-identification of a drug and/or alcohol problem prior to performing a safety-sensitive function (i.e. prior to reporting for duty). Employees may not self-identify a drug or alcohol problem to avoid testing required under DOT regulations. Employees also may not escape discipline or the Post-Violation/Return-to-Duty Procedures by self-identifying a drug or alcohol problem after being referred for testing or after a DOT drug and alcohol regulation violation has occurred. Costs associated with any counseling or treatment program may be covered by the employee's medical insurance plan (if any); however, any costs not covered by the employee's medical insurance plan and which are not otherwise required to be paid by any applicable plan are entirely the employee's sole responsibility. The Company will comply with any applicable medical leave law, disability discrimination law or applicable leave law in the event a leave is requested.

Employees who admit to a drug or alcohol problem will be referred to a drug and alcohol abuse evaluation expert (i.e. employee assistance professional, SAP, or qualified drug and alcohol counselor) for evaluation and recommendations for an appropriate education or treatment program. Such employees will not be permitted to return to a safety-sensitive function until the Company is satisfied that the employee has been evaluated by a drug and alcohol abuse evaluation expert and successfully completed the expert's recommendations for an educational or treatment program.



Before the employee's return to a safety-sensitive function, the employee must also undergo a return-to-duty test with a result indicating an alcohol concentration of less than .02 and/or a verified negative drug test result. Except as otherwise required by applicable law or policy, the Company cannot guarantee that the employee will return to the same or a comparable position upon return to duty. The Company reserves the right, as recognized by the DOT, to require employee monitoring and/or non-DOT follow-up testing based on its independent authority and discretion, and within the limits, if any, of applicable law. All returning employees are required to comply with the Company's normal standards with respect to work performance and conduct.

## **SUMMARY OF ALCOHOL TESTING PROCEDURES**

The DOT regulations discuss alcohol testing procedures in greater detail in 49 Code of Federal Regulations, Part 40, which the Company will adhere to with respect to DOT alcohol testing.

1. Alcohol testing is done at locations determined by the Company in a private setting. The testing technician, who has been trained, will ask test subjects to verify their identity. Drivers must cooperate with that request. Drivers may ask the technician for identification also. The driver's identity will be recorded on a DOT alcohol testing form.
2. A breath or saliva testing device approved by the federal government will be used for all alcohol tests. A screening test will be done first. If a breath-testing device is used, drivers will be instructed to exhale forcefully into the mouthpiece of the screening device. If a saliva-testing device is used, a swab will be placed in the driver's mouth and saturated with saliva. After the saliva is collected, the swab will be inserted into the saliva-testing device.
3. The technician will show the result displayed on the screening device to the driver. If the reading is less than 0.02, the driver has passed the alcohol test and the DOT alcohol testing form will be completed.
4. If the screen test result is more than 0.02, a confirmation breath test, using a federally approved evidential breath-testing device, will be performed after at least a 15-minute waiting period from the completion of the screening test. During that time, for their own protection, drivers should not eat or drink anything.
5. For the confirmation test, the driver will have to exhale into the evidential breath-testing device until the technician tells the driver to stop. The driver will be shown the printed and displayed results.
6. A confirmation test result under 0.02 means the driver has passed. A confirmation alcohol concentration level of 0.02 or higher will result in the driver's removal from safety-sensitive functions. The DOT prohibits any driver whose confirmation test registers 0.02 or greater but less than 0.04 from performing or from continuing to perform a safety-sensitive function until the driver's next regularly-scheduled duty period, but for no less than twenty-four (24) hours. If the confirmation level is 0.04 or more, or if the driver refuses to cooperate, the driver is in violation of DOT alcohol regulations and subject to the Consequences for Policy Violations and Post-Violation/Return-to-Duty Procedures described above.
7. If a driver tries, but fails to provide a breath specimen adequate for testing, the driver will be asked to try again. If the driver still does not provide an adequate specimen, the driver's failure will be noted on the DOT alcohol testing form and the Company's DER will be informed. The driver will be removed from performing "safety-sensitive" functions for a 24 hour time period and required to see a doctor, acceptable to the Company, within five days for an evaluation. If the doctor provides a written statement to the employer concluding that it is highly probable a medical condition prevented the driver from providing an adequate breath specimen, the driver will not be disciplined for refusing to cooperate.

## SUMMARY OF DRUG TESTING PROCEDURES

The DOT regulations discuss drug-testing procedures in greater detail in 49 Code of Federal Regulations (CFR), Part 40, which the Company will adhere to with respect to DOT drug testing, including but not limited to with respect to initial and cutoff testing concentrations as established and as may be updated by DOT from time to time in 49 CFR § 40.87.

1. Drivers subject to drug testing will be directed to provide a urine specimen at a Company designated facility. The driver will be driven or sent to the facility and required to verify his or her identity. In return, a driver may ask collection site personnel to disclose their identity.
2. The driver's urine specimen will be collected by a trained collection site person (the Collector) in accordance with DOT rules, using a DOT Custody and Control Form (CCF), also known as chain-of-custody form. To protect themselves, drivers should ensure that the entries on the form are accurate, that their collected urine specimens have been sealed, and that their specimens are labeled with the same number as appears on the CCF and are placed in a container with copies of the correct CCF.
3. The Collector shall require drivers to remove unnecessary outer garments that might conceal items used to tamper with the collection process. The Collector shall also retain personal belongings like briefcases and purses during the collection process. Drivers may keep their wallets and ask for a receipt for any belongings they surrender. The Collector will direct the driver to empty his or her pockets and display the items in them and the driver must allow the Collector to make this observation.
4. Drivers will be given a collection container and allowed to provide a urine specimen in private unless: the laboratory reports a specimen was invalid and the MRO reports there was no adequate medical explanation for the result; the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed; the laboratory reports a specimen as negative-dilute – a specimen with a low creatinine concentration greater than or equal to 2 mg/dL and less than or equal to 5 mg/dL and the MRO reports the specimen as negative and dilute; the Company directs a return-to-duty test or follow-up test be performed under direct observation; the Collector observes materials brought to the collection site and determines that they were brought there with the intent to alter the specimen or the driver's conduct clearly indicates an attempt to tamper with a specimen; the temperature on the original specimen was out-of-range; or the original specimen appeared to have been tampered with. In such circumstances, the DER will be notified and drivers will be required to provide a specimen while being observed.
5. If the driver does not provide a sufficient amount of urine for testing (at least 45 ml), the Collector will discard the specimen, tell the driver to drink additional fluids, wait up to three (3) hours and try again to provide a specimen. If the driver refuses to drink those fluids or provide another specimen, the Collector shall notify the Company's DER of the driver's refusal to cooperate. If the driver cooperates, but still does not provide an adequate specimen, testing will stop and the driver will be sent to a doctor acceptable to the Company's MRO within five working days for an evaluation. If that doctor states in writing to the Company's MRO that it is highly probable that a medical condition prevented the driver from providing an adequate specimen, the driver will not be disciplined on grounds of refusing to provide a specimen.
6. If the driver does provide an adequate specimen, it will be inspected by the Collector and its temperature will be measured. If there is a reason to believe an altered or substituted specimen has been provided, the DER will be notified and a second, observed specimen will be collected. Collected specimens will be poured into two containers (i.e. a split-specimen collection). The driver will then be told to initial a label for the containers and the containers will be sealed and labeled with a unique specimen number in the driver's presence.



7. Both specimen containers will be sent to a federally certified laboratory designated by the Company. The lab will review the CCF and check the specimens for apparent tampering. Any apparent tampering or CCF problems will be reported to the DER.
8. If the specimens appear to be in order, the lab will run an initial screening test on the primary specimen. If the screening test is negative, the lab will report the result as negative and the driver has passed the drug test. If the screening test is positive, the lab will conduct a confirmation test and analyze the specimen using Gas Chromatography/Mass Spectrometry (GC/MS). The laboratory will send the test results to the Company's Medical Review Officer (MRO).
9. The MRO is a trained doctor the Company has retained to review test results and to evaluate any explanation a driver may have for a positive, adulterated, substituted with a creatinine concentration of less than 2 mg/dL, or invalid drug test result. The MRO will telephone drivers at the numbers given on the CCF. If a driver believes a mistake was made at the collection site or lab, or on a CCF, or that the drug test result is caused by lawful substance use, the driver should tell the MRO. Drivers should cooperate with the MRO. If a driver does not cooperate, the Company will be notified and the driver may be removed from duty and disciplined or discharged pursuant to the Company's independent authority (or not hired, if the driver is an applicant).
10. If a driver wants his or her split specimen to be tested by another certified lab at the driver's expense, the driver should tell the MRO within 72 hours of notice of a positive, adulterated or substituted drug test result. **The driver will not have the opportunity to provide another specimen.** The retest will be conducted on the secondary container of the **original** specimen. The driver's secondary specimen will then be sent to a different Company-approved, certified laboratory for re-analysis. If that second lab does not find any evidence of the drug(s) that the first lab found or the split specimen cannot be tested, the MRO will cancel the test results and the driver will not be subject to discipline. If the second laboratory finds evidence of the drugs, adulteration or substitution that the first laboratory found, the MRO will tell the DER the split specimen was positive, adulterated or substituted. As provided in 49 CFR § 40.187(a)(3), in the case of a reconfirmed substituted result in which the creatinine concentration for the primary specimen was less than 2 mg/dL and the creatinine concentration of the split specimen is between 2 and 5 mg/dL (inclusive), the MRO will report the result as "dilute" and the driver will be required to undergo an immediate recollection under direct observation.
11. If the MRO informs the Company that a negative drug test was dilute, the following will apply.
  - **Dilute Negative with Low Creatinine:** If the MRO indicates that a recollection under direct observation is required because the creatinine concentration of the specimen was equal to or greater than 2 mg/dL but less than or equal to 5 mg/dL, the Company must immediately instruct the driver to undergo a recollection under direct observation. The DOT's stated purpose for this requirement is so that people who may naturally produce low creatinine levels will not be reported to employers as having substituted their specimens.
  - **Other Dilute Negative:** Otherwise, if the creatinine concentration of the dilute specimen is greater than 5 mg/dL but less than 20 mg/dL, the Company will direct the particular individual to take another test immediately for all test types (i.e., pre-employment, post-accident, random, reasonable suspicion, return-to-duty or follow-up). Such recollections will be unobserved, unless there is another basis for use of direct observation (see for instance 49 CFR §40.67(b) and (c)).
  - **Requirements Applicable to Both Dilute Negatives with Low Creatinine and Other Dilute Negatives.** The requirement to undergo a recollection/retest

because of a dilute negative will uniformly apply to all individuals subject to a particular test type; in other words, the Company will treat all employees subject to the particular test type the same with respect to a recollection/retest. A refusal to submit to the second test as directed by the Company will be deemed a test refusal and a violation of DOT drug regulations. The result of the second test – not the original dilute result – will be the test of record upon which the Company will rely. If the second test is also a dilute negative, the Company will not make the employee take a third test because the second test was dilute and the test will be treated as a negative test result for DOT purposes. Nonetheless, the Company reserves the right, based on its authority separate and independent of DOT regulations, to take adverse employment action based on a second dilute test result, unless otherwise limited by applicable law.

The DOT prohibits any driver who has a verified positive, adulterated or substituted drug test result, from performing or from continuing to perform a safety-sensitive function until he/she has met the proper DOT requirements as described in the “Post-Violation/Return-to-Duty Procedures” section above under Consequences for Policy Violations.

## **CERTIFICATE OF RECEIPT**

The regulations require that each driver sign a statement certifying that he or she has received a copy of this policy. Accordingly, please sign the Certificate attached to this Policy and return the original of the Certificate to your immediate supervisor. You may keep a copy of the Certificate for your own records if you desire.

## **AUTOMATIC AMENDMENTS AND RESERVATION OF RIGHTS**

This Policy automatically incorporates any changes to DOT or FMCSA regulations (49 CFR, Parts 40 and 382) or related regulations or statutes that govern the use of drugs and alcohol by employees who hold a CDL and drive a CMV. This Policy is not an express or implied contract of employment nor is it to be interpreted as such. Additionally, this Policy does not in any way affect or change the status of any at-will employee. Nothing in this Policy is a promise or guarantee or should be construed as a promise or guarantee that the Company will follow in any particular circumstances any particular disciplinary course of action or other course of action not mandated by DOT regulations.

## **SIGNS AND SYMPTOMS OF A DRUG-ALCOHOL PROBLEM**

Drugs and alcohol can result in such work-related problems as absenteeism and tardiness, lower productivity, missed deadlines, poor work quality, unsafe driving, and increased injuries and accidents. Problems relating to or communicating with supervisors, co-workers or customers, following directions, concentrating or remembering things may also indicate a drug or alcohol problem.

Drugs and alcohol slow reaction times, cause confusion, harm coordination and motor skills and can impair decision-making and memory. People misusing alcohol and using illegal drugs may be withdrawn, lethargic, depressed, erratic, “hyper” or unusually anxious, hostile or paranoid.

Drugs and alcohol misuse can also result in health problems like chronic gastritis, headaches, chronic respiratory infections and liver problems. They may also show up as poor hygiene, a sloppy appearance, financial problems, DUIs or family problems.

Evidence of use can include paraphernalia such as pipes, syringes, foil packets, pills, powders and empty alcohol containers. Physical symptoms of use can include:

- Marijuana and alcohol odors
- Puffy or droopy eyelids, bloodshot eyes, dilated or pinpoint pupils

- Nosebleeds, excessive sniffing, chronic sinus problems, nasal sores
- Needle tracks or blood spots on clothing
- Tremors, racing or irregular heartbeats
- Slurred or incoherent speech
- Confusion, anxiety, paranoia
- Coordination problems
- Lethargy and sleepiness

## **EFFECTS OF ALCOHOL AND DRUGS**

Drugs and alcohol can harm health and the workplace in a variety of ways.

### **Alcohol**

Alcohol is a central nervous system depressant that acts like a poison if used in large quantities. Each year the lives of tens of thousands of Americans are shortened or ended by alcohol misuse.

Alcohol quickly reaches the brain after drinking. It impairs self-control and other learned behaviors. This loss of self-control can lead to aggressive driving (or overly cautious driving), as well as the other kinds of aggressive behaviors associated with drinking. Even small doses of alcohol, i.e. a single drink, can harm driving performance. In large doses, alcohol significantly impairs coordination, memory and judgment.

Over time, alcohol misuse damages the liver, the heart, the digestive system and can cause permanent brain damage. On average, alcoholics shorten their life span by about 10 years.

Alcohol misuse harms the ability to think clearly, harms judgment and can affect the ability to get along with and work constructively with co-workers and customers. Alcoholics often have attendance and work performance problems and get fired because of the consequences of alcohol misuse. Because of its adverse effects on coordination, reflex time, vision, driving ability, judgment and the ability to evaluate and quickly process information, alcohol is especially dangerous for drivers of commercial motor vehicles.

A small glass of wine, a can of beer and a one and one-half ounce shot of liquor all contain about the same amount of alcohol. It takes the body about one hour to metabolize and eliminate each "drink" of alcohol. Coffee, exercise and cold showers do not speed up this process or magically produce sobriety. While individuals differ greatly, each drink on an empty stomach by an average-sized adult male may lead to an alcohol concentration of about .02. Thus, drinking more than two drinks raises a serious risk of having an alcohol concentration in excess of DOT rules, especially for people with low body weights. Any drinking while on duty or during the 4 hours before working violates DOT rules.

### **Cocaine**

Cocaine is a powerful stimulant that can be inhaled up the nose, injected or smoked. It greatly increases heart rate and blood pressure. Partly because of its effects on the circulatory system, cocaine use can lead to seizures. Every time cocaine is used, there is some unquantifiable risk of a fatal stroke or heart attack. Cocaine can also cause tremors, convulsions, vomiting and raises body temperature to dangerous levels. Repeated snorting damages nasal tissues, sometimes permanently. Needle use carries risks of infection and overdose.

Initially, cocaine use brings a rush of euphoria and exaggerated overconfidence. Sometimes these effects are so strong that safe driving is impossible. Cocaine wears off in about an hour after it is snorted and in just a few minutes after it is smoked. When it wears off, the user may become depressed, anxious, paranoid and exhausted.

Cocaine users may exhibit rapid mood swings and changes in activity level. They may grind their teeth, repeatedly wash their hands or engage in other compulsive behaviors.

## **Amphetamines**

Amphetamines, also known as “speed,” are powerful stimulants that are often abused by truck drivers because they make it easy to stay awake. Amphetamines, however, are dangerous drugs with a high potential for abuse. Amphetamines may also be known as uppers, black beauties, white crosses or dexies.

Use brings feelings of alertness and a loss in appetite. The user may also become very talkative or physically active or feel very strong after ingesting amphetamines. In a few hours however, the amphetamines wear off and restlessness, anxiety, paranoia and headaches set in.

In large doses, amphetamines can produce serious toxic effects. The user’s blood pressure can rise to the point where strokes or heart attacks occur. Long-term users often have acne, tooth problems and may exhibit symptoms of permanent brain damage.

## **Marijuana**

Marijuana is a hallucinogen that alters the user’s sense of time and reduces the user’s ability to perform tasks requiring coordination, swift reactions and concentration. Taken in large quantities, marijuana can act like a depressant.

While some people may regard marijuana as harmless, there is evidence its use is unhealthy and dangerous for the driver. Marijuana causes significant increases in blood pressure and pulse rate and, thus, can aggravate or cause heart disease. Marijuana smoke also contains a number of known carcinogens. Many experts believe that marijuana is actually healthier to smoke than tobacco.

Studies have shown that smoking marijuana affects the ability to perform tasks like driving, which require both thinking and motor skills, for at least 24 hours. Users, however, often believe that all the impairing effects of smoking have worn off after 4 to 6 hours. Marijuana significantly impairs short-term memory and can harm the user’s ability to concentrate or plan for and achieve long-term goals. There is also significant evidence that marijuana harms the reproductive systems of men and women and is dangerous for children and non-smokers who live with the user.

## **Opioids**

Opioids, including opiates, are a class of narcotics and sedatives derived from the opium poppy plant. Heroin is the strongest opiate. Heroin use has been increasing in recent years because of the availability of cheap, strong heroin from Asia. This new stronger heroin can be smoked or snorted. Heroin can also be injected using needles.

Morphine and codeine are opiates that are often used to relieve pain or induce sleep. However, they can be stolen from hospitals or pharmacies and abused.

Opiate misuse causes a number of health problems. Because of variations in dosages and strength, heroin use carries a risk of overdose and death. Addicts who use needles also risk contracting AIDS or hepatitis. Heroin is often contaminated with other drugs or toxins or combined with other narcotics.

Opiate use slows down and depresses a number of body functions, including brain functioning. Heroin users may act sleepy or euphoric for a while and then become anxious or irritated after the heroin wears off. Heroin users tend to have a number of related health problems and tend to

also abuse alcohol and tobacco. Together, these drugs and the unhealthy lifestyles of heroin users result in decreased life expectancy.

Finally, effective January 1, 2018, DOT by regulation added four semi-synthetic opioids (hydrocodone; hydromorphone; oxycodone and oxycodone) to the mandatory DOT testing panel -- DOT's first formal attempt address the mounting opioid crisis. "The opioid crisis is a threat to public safety when it involves safety-sensitive employees involved in the operation of any kind of vehicle or transport," explained Secretary Elaine L. Chao in an agency press release. "The ability to test for a broader range of opioids will advance transportation safety significantly and provide another deterrence to opioid abuse, which will better protect the public and ultimately save lives."

## **PCP**

Phencyclidine, or PCP, is also called angel dust or dust. PCP is an extremely dangerous hallucinogen that has unusual and unpredictable side effects. It was developed as an anesthetic in the late 1950's and used for a while as a tranquilizer both for humans and animals. Because of its dangers, it now has no legal uses and is no longer legally manufactured. Rather, PCP is manufactured in underground laboratories. It often contains dangerous adulterants but is very dangerous all by itself.

PCP can produce violence and bizarre behavior in anyone who uses it. Occasionally, PCP users attack nurses and policemen or jump out of windows because they believe they can fly. PCP somehow scrambles the brain's internal stimuli and seriously changes how users feel, see and deal with their environment.

In low doses, PCP produces a feeling of numbness. Increased doses produce excitement, confusion and delirium. The user's body may become rigid or go into convulsions. Routine activities like driving become dangerous and unpredictable.

Users may walk with strange uncoordinated steps. PCP users may have a blank stare, sweat heavily, have thick slurred speech or engage in some of the violent and bizarre behaviors mentioned above.

## **Methods of Intervening When an Alcohol or a Drug Problem Is Suspected**

The Company recognizes that drug abuse, alcoholism and alcohol misuse are problems throughout America. There are several good reasons why employees should be concerned if any of their coworkers are using illegal drugs or alcohol on the job or in violation of DOT rules:

- The employee, his or her coworkers, vendors and suppliers and the general public's health and safety may be at risk;
- Misuse by one employee may negatively impact the income of another;
- Creation of a negative work environment;
- There may be legal compliance issues (and monetary penalties) for the Company and the employee.

No matter what the employee's position is in the organization, there are things that can be done to ensure that we minimize the risks arising from drug and alcohol abuse. Acceptance of any substance abuse and misuse puts the employee, the Company, and the public at risk.

Accordingly, employees who observe any signs or symptoms of illegal drug use or alcohol abuse on the job or that violates DOT rules should report that information to an employee's immediate supervisor. Alternatively, employees may report any signs or symptoms to the Company's Designated Employer Representatives (DERs).

## **CERTIFICATE OF RECEIPT**

The regulations require that each driver sign a statement certifying that he or she has received a copy of this policy. Accordingly, please sign the Certificate attached to this Policy and return the original of the Certificate to your immediate supervisor. You may keep a copy of the Certificate for your own records if you desire.

## **DRUG FREE WORKPLACE ACT**

Pike Industries, Inc. is a drug free workplace. We make every effort to have a safe working environment for all of our employees by maintaining a drug free organization.

Various states have passed laws legalizing the use of medical and recreational marijuana. While these states have "legalized" marijuana use, marijuana is still an illegal Schedule I drug under the federal Controlled Substances Act.

Pike Industries, Inc. is a federal contractor, and as such, is required to remain a drug free organization. Therefore, in accordance with the Drug-Free Workplace Act of 1988 and company policies, the use of marijuana during work hours or while on company property for any purpose, including medical marijuana card holders, is not acceptable under our drug and alcohol policy and subjects you to disciplinary action, up to and including, termination of employment (as allowed by state law).

Accordingly, if an employee's test results come back positive for marijuana on a drug test (random, post-accident, or reasonable suspicion) the result will be disciplinary action up to and including termination, regardless if the employee has a medical marijuana card.

Should you have any questions, please feel free to contact the Human Resources Department.

## **AMERICANS WITH DISABILITIES ACT POLICY**

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as ADAAA, are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of the Company to comply with all federal and state laws concerning the employment of persons with disabilities. Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges or employment.

When an individual with a disability is requesting accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to workplace safety, he or she will be given the same consideration for employment as any other applicant. Applicants who pose a direct threat to the health, safety, and well-being of themselves or others in the workplace when the threat cannot be eliminated by reasonable accommodation will not be hired.

The Company will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to the Company. Contact the Human Resources Department with any questions or requests for accommodation.

All employees are required to comply with the Company safety standards. Current employees who pose a direct threat to the health and/or safety of themselves or other individuals in the workplace



will be placed on appropriate leave until an organizational decision has been made in regard to the employees' immediate employment situation.

Individuals who are currently using illegal drugs are excluded from coverage under the company ADA policy.

The Human Resources Department is responsible for implementing this policy, including resolution of reasonable accommodation, safety/direct threat, and undue hardship issues.

**RELIGIOUS ACCOMMODATION POLICY**

The Company respects the religious beliefs and practices of all employees and will make, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on the Company's business.

An employee whose religious beliefs or practices conflict with his or her job, work schedule, or with policy or practice on dress and appearance, or with other aspects of employment, and who seeks a religious accommodation must contact the Human Resources Department to make a formal request. The written request will include the type of religious conflict that exists and the employee's suggested accommodation.

The employee's manager will work with the Human Resources department to evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available that is reasonable and that would not create an undue hardship. An accommodation may be a change in job, using paid leave or leave without pay, allowing an exception to the dress and appearance code that does not affect safety or uniform requirements, or for other aspects of employment.

It is the policy of the Company to comply with all federal and state laws concerning the employment of persons requesting a religious accommodation. Furthermore, it is our Company policy not to discriminate against qualified individuals requesting a religious accommodation in regard to application procedures, hiring advancement, discharge, compensation, training, or other terms, conditions and privileges of employment.

**SMOKING POLICY**

Smoking is prohibited in all enclosed buildings owned or operated by Pike Industries, unless the facility has an effectively segregated smoking-permitted area. **Smoking is not permitted in any area that has not been properly segregated and posted.**

Smoking is also prohibited in any piece of equipment or truck which is owned or operated by Pike and has an enclosed cab.

In the State of Vermont, smoking is prohibited inside all areas of the workplace.

This policy is designed to ensure the safety and good health of Pike employees and to maintain compliance with the State and Federal laws pertaining to workplace smoking.

**WHAT IS AN EFFECTIVELY SEGREGATED AREA?**

An area that measures at least 200 square feet and is separated from non-smoking areas by a continuous physical barrier, such as a wall, partition, or a space at least four feet wide that serves as a buffer zone to separate the areas. The designated area should be situated so that smoke does not unreasonably intrude into non-smoking areas, and must be located near an exhaust fan whenever possible. In Maine and New Hampshire the area cannot be open to the public and must have closable doors and a separate ventilation system.

As a courtesy to your co-workers that do not smoke, employees should be respectful of where they smoke, should maintain equipment and trucks accordingly and should extinguish cigarettes appropriately.

## **COMPANY MATERIALS PURCHASE POLICY**

Employees may purchase Company materials (hot asphalt mix, aggregates, concrete, etc.) for personal use in accordance with the following criteria:

- All purchases will be C.O.D. (cash on delivery). Extension of credit will not be considered.
- The purchase price for all materials will be the posted price at each facility:
  - less 15% for Hot Mix Asphalt. HMA delivery will be at current hourly rates.
  - less 20% for Redimix Concrete, if the load exceeds the minimum purchase amount.
  - less 25% for Aggregates. Any aggregate delivery shall be at current per ton zone rates.
- Employees purchasing greater than 2 tons (or yards) of material per load must receive prior approval from the respective Division VP before materials can be purchased and delivered.

This policy applies to Pike Industries and Redimix employees for personal use only. Extended family members are not eligible for the benefit. The discount does not apply to jobs or projects that are profit related, or any other business activity for which an employee is involved.

Following each employee purchase transaction a copy of the sale ticket will be forwarded to the purchasing employee's divisional VP for review-

## **COMPUTER, E-MAIL, VOICE MAIL AND INTERNET USAGE**

All computers and electronic equipment that are furnished to employees are the property of Pike Industries. This includes hardware, software, personal computers, computer files, the e-mail system, software furnished to employees, and cell phones.

The Company's e-mail, voice mail, and other computer information systems, like all other Company property, should not be abused or used for disruptive, offensive or improper purposes. Their use is subject to all other Company policies including, for example, policies on the Confidential Nature of Company Affairs and Harassment. Consequently, employees should not attempt to enter, monitor, access or retrieve information from another employee's e-mail, voice mail, or other computer files without express permission of the President. Also, there should not be any entry, display or transmission of sexual messages or images, ethnic or racial slurs or epithets, or anything that may be construed as harassment or disparagement of others based on sex, race, color, national origin, age, religion or disability, genetic information, gender identity, transgender status, sex stereotyping, pregnancy and related conditions, veteran's status, sexual orientation, gender identity, place of birth, marital status, a qualified handicapped status, or any other characteristic protected by law.

Use of the Internet must not disrupt operation of the Company computer network. Use of the Internet or phones must not interfere with an employee's productivity. Employees are responsible for using the Internet and phones in a manner that is lawful and consistent with all company policies.

In accordance with the National Labor Relations Act, employees have the right to use their company-provided email account during non-working time for non-business purposes, including activities covered by Section 7.



In addition, the following practices are prohibited when using the Company e-mail and/or Internet systems:

- Creating e-mail congestion by sending trivial messages or personal messages;
- Accessing the World Wide Web for inappropriate or unlawful purposes;
- **Internet radio and/or any other streaming media, which may cause LAN /WAN congestion, are strictly prohibited.**
- Impersonating any other person when using e-mail or amending messages received;
- E-mail may not be used to solicit others for commercial ventures, religious causes, or other inappropriate or unprofessional matters.

E-mail, voice mail, and other computer information systems are property of the Company. All messages and information entered into e-mail, voice mail, or other computer information systems are Company records that are the property of the Company, which reserves the right to enter, monitor, access and disclose all messages and information entered into e-mail, voice mail, or other computer systems for any purpose. Employees do not have any personal privacy right concerning any messages or information entered into the Company's e-mail, voice mail, or other computer information systems, including any employee's e-mail, voice mail, or computer file.

Pike Industries purchases and licenses the use of various computer software. Unless authorized by the software developer, Pike Industries does not have the right to reproduce such software for use on more than one computer.

**Software should not be downloaded to the Company's system without prior permission from the Division VP, IT personnel, or IT Service Desk. This includes free software and shareware available on the Internet.**

Employees may only use software on local area networks or on multiple machines according to the software license agreement. Pike Industries prohibits the illegal duplication of software and its related documentation.

Employees should notify their immediate supervisor, the IT Department or any member of management upon learning of violations of this policy.

## **CRH SOCIAL MEDIA POLICY AND GUIDELINES:**

### **1. Background**

CRH Americas Materials, Inc. as well as CRH Americas, Inc., consistent with our parent company, CRH plc, (collectively referred to as CRH) is committed to open communication and frequent dialogue with our employees, local communities, customers, suppliers and stakeholders. Media coverage, both traditional and social, is a great way to increase awareness of our company as a world-class leader in the construction and building materials industry. This can also support our business in building solid, successful relationships. Additionally, issues impacting local communities can fuel online communications among a wide-range of activist and special interest groups. These platforms need to be carefully managed as coverage directly impacts our overall reputation and how we are evaluated and perceived.

## **2. Purpose**

The creation of communities, sharing content, and authenticity are the essence of social media. We recognize that many of our employees are active on social networking sites, act as spokespersons of the Company in managing Company or Operating Company (OpCo) social media pages, as well as share content related to our business on their personal accounts. We have developed this Social Media Policy & Guidelines to provide direction for employees posting on behalf of CRH, as well as recommendations for personal social media management, because the lines between individuals and the organizations they are affiliated with may sometimes become less pronounced. If you manage a company account, remember that your content represents both your local business and CRH, so care and attention must be given to quality, tone, accuracy and integrity of any content that you publish.

As with all actions, employees should always use sound judgment and common sense, and remember our CRH Values, to:

- Put safety first
- Continuously create value
- Do what we say and lead with integrity
- Operate locally, but as one company
- Build enduring relationships

## **3. Scope**

It is critical that social media account administrators/spokespersons know how to best represent us online and deliver a consistent and cohesive message externally. Systematic coordination and agreement on messaging is required at all levels. To support this objective, this document outlines the basic processes for managing social media accounts for the Company (this includes Operating Companies, brands, departments and all other accounts that represent the company).

This policy and guidelines are applicable to all social networking platforms including, but not limited to, Facebook, Twitter, LinkedIn, Flickr, Instagram, YouTube, Vimeo, blogs, podcasts and vlogs. CRH in North America maintains a presence on select social media platforms administered by key users throughout the business who are permitted to speak on behalf of the company online with oversight and guidance by the Corporate Communications Department. All CRH and related company, business and brand accounts must be approved by the Corporate Communications Department prior to being created. Additionally, this document provides guidance and recommendations for employees and their personal social media use. We do not discourage employees from participating on social media platforms at a personal level, however we have guidelines for online conduct (see Section 5).

## **4. Procedure-Management of CRH, CRH Operating Company and Related Business Accounts by an Employee Responsible for Social Media Admin as Part of their Job Role**

- 4.1** CRH and CRH Operating Company social media accounts cannot post negative or disparaging content, either real or perceived, about anyone including CRH or affiliated

companies, colleagues, customers, competitors, consultants, vendors or business partners. Our collective online presence reflects CRH and therefore must be consistent with applicable company policies. If you are a social media account admin in violation of these policies, you may be subject to discipline, up to and including termination of employment.

- Refrain from participating in non-business-related discussions.
- Make sure you speak diplomatically, and have the facts correct
- Do not defame, slander or speak poorly of anyone, including our competitors

- 4.2** Content pertaining to confidential and sensitive company information, including those found and shared on our internal networks, should not be shared externally. Divulging information including, but not limited to, business operations or strategies, confidential product and/or service information, processes, marketing plans, sales information, customer lists, financial data, patents, trademarks, predictions of future performance, legal information and personally identifiable information about suppliers and customers, financial information and legal matters is prohibited.
- 4.3** Employees must respect applicable laws such as financial disclosure laws and copyright and trademark laws. If sharing other people's content online, including photos obtained through search engines, ensure the content is royalty-free and can be shared and/or attain permission and attribute the content to its rightful owner (author, photographer, videographer, etc.).
- 4.4** Great care must be taken when taking and uploading pictures or videos of our offices or operations. Ensure that the photos or videos do not share or link to any confidential information and that all company policies are being followed. For example, PPE specific to the task/environment must be worn at all times (i.e. Class 3 safety vests) as well as new protocols established in response to COVID-19 such as requirements for social distancing and face coverings. If the photos or videos include people, including fellow employees (or their friends or families), customers, vendors, etc., express written permission must be obtained before posting. If there is any doubt, contact the Corporate Communications Department for guidance prior to posting.
- 4.5** Be aware of the audience and interact in an appropriate and responsible manner, just as with any other medium of communication: be transparent, ethical and accurate. The discussion of current events across company social media accounts is strictly prohibited unless pre-approved by Corporate Communications and dishonorable content or slurs containing racial, ethnic, sexual, religious or directed at people with disabilities will not be tolerated.
- 4.6** Misleading information can harm personal and professional reputations. Ensure the information you are posting is accurate and do not pass on rumors or hearsay as facts.
- 4.7** Social media networks and following conversations online are great tools for learning about our industry and brands. As an account administrator, bring any negative or potentially detrimental online content about CRH to the attention of the Corporate Communications Department.
- 4.8** If an online conversation may be considered controversial or could bring negative attention to the company, contact the Corporate Communications Department immediately, before engaging in a conversation.
- 4.9** CRH is a non-partisan company and should not be engaged in political conversations online, with the exception of the Government Relations accounts approved by CRH.

CRH accounts should not promote (tweet or retweet, repost, share, like, etc.) messages from or about political officials, candidates or associations related, but not limited to, policy, trade, competition, world affairs, etc. Exceptions can be made when officials visit our operations or engage with us in a direct capacity at events, community relations, etc. Consult with the Communications Department prior to posting political content.

- 4.10** CRH and its portfolio of Operating Companies and brands should always be correctly branded to preserve the identity and messages of companies represented. Employees must have express permission from the communications, recruiting and marketing departments to use registered brands or trademarks. Ensure you obtain properly branded materials, logos, graphics and key messages.
- 4.11** Never like, retweet or post/repost a competitor's posting without permission from the Corporate Communications Department. There may be times when a customer of one of our businesses may be a competitor of another CRH operating company, so please ensure you understand business relationships before engaging with another company on social media.

## **5. Guidelines - Employees' Personal Social Media Use Related to CRH and its Business**

- 5.1** If employees choose to associate themselves with the company on their private social media accounts (i.e. list employer in profile info), they must clearly identify that opinions are their own and not those of CRH and/or an Operating Company. For example, if an employee states on his/her profile "I work at CRH" or lists it in their "About" information that they work a CRH Operating Company, they should add "the opinions expressed here are my own."
- 5.2** Employees should not speak on behalf of CRH, either explicitly or implicitly, unless they have express authorization to do so. Employees should notify the Corporate Communications Department if they receive any inquiries from the media (either through social channels, or otherwise) asking for a company comment.
- 5.3** Respect applicable laws such as financial disclosure laws and copyright and trademark laws. Confidential company information (including trade secrets) should not be shared externally. Divulging information including, but not limited to, business operations or strategies, confidential product and/or service information, processes, marketing plans, sales information, customer lists, financial data, patents, trademarks, predictions of future performance, legal information and personally identifiable information about suppliers and customers, financial information and legal matters is prohibited.
- 5.4** Content in violation of company policies could lead to disciplinary action, up to and including termination.
- 5.5** Social media networks are great tools for learning about online conversations around our industry and brand. We appreciate the assistance of all employees in listening and alerting us to relevant discussions, both positive and negative. We ask that employees bring any negative or potentially detrimental online content about CRH to the attention of their local Human Resources Department who will alert the Corporate Communications Department.

## **EARLY SEASONAL LAYOFF**

At the discretion of management and based on business needs, early seasonal layoff may be granted to employees on or after October 15th. All requests for early layoff must be submitted in writing with as much notice as possible, preferably two (2) weeks in advance of the anticipated layoff date, and the Division VP must approve all requests. If approved, this will be considered a voluntary layoff.

An employee who leaves, for any reason not protected by law, before October 15th, without approval, will be deemed to have quit, losing all length-of-service benefits. Unemployment compensation may also be affected.

## **IMPROVING SKILLS**

### **PERFORMANCE APPRAISALS**

Performance appraisals may be conducted at any time, but normally Pike adheres to the following guidelines.

Performance appraisals will be conducted annually by your immediate supervisor with input from the Area Manager and/or Division VP. The purpose for conducting annual performance appraisals is to:

- a. Recognize your work effort
- b. Review yearly performance based on your job description. This includes your commitment to safe work procedures, teamwork, ability to perform job functions, uniform adherence, and Company policy
- c. Point out areas of achievement
- d. Establish new goals for the upcoming review period
- e. Offer guidance and direction on performance deficiencies
- f. Exchange ideas on how the Company can improve
- g. Create a forum for dialogue on year to date performance and other issues

NOTE: Employee wage rates are reviewed periodically. Wage increases are not necessarily done in conjunction with your annual review.

### **JOB POSTING**

It is the Company's policy to advertise internal job openings, allowing employees the opportunity to apply for available positions.

Vacancies for positions will be distributed to all employees at Pike facilities so that employees who are interested in changing a position are considered when hiring takes place.

### **TRANSFERS**

Employees interested in transferring to another position must first notify his/her Human Resources Manager of the request to apply for an available position.

A wage increase will not accompany the transfer, unless the new position is a qualified promotion. Employees may not request a transfer more than once per year, unless specifically authorized by management.

Newly hired employees are not eligible for transfer during the first season of employment, however the Company reserves the right to transfer employees or deny transfer requests based on legitimate business factors such as qualification and the needs of the Company and its customers.

## **ADVANCEMENT**

It is the policy of the Company to promote from within whenever possible. Advancement is dependent on business factors, including, but not limited to, availability of open positions, your qualifications, and your work performance (quality, initiative, attitude, attendance, etc.).

If you have questions on potential advancement, talk with your supervisor or Human Resources Manager.

## **BENEFITS**

Pike Industries provides eligible employees with a comprehensive and competitive benefits program. Our benefits program is designed to offer financial security against catastrophic health care expenses, rest and recreation through paid time off and holiday programs, and help to plan for retirement through Pike sponsored savings. These benefits may be changed, amended, or canceled at any time as allowed by law. The following is a brief summary of the Company's benefits program. Keep in mind that the brief descriptions written here are for convenient reading and understanding. As a result, they do not provide all of the details necessary to tell you how the specifics of a particular plan apply in an individual situation. The Plan Document for each particular benefit controls each plan and is available for you to review by contacting the Human Resources Department. Subject to the conditions and limitations of the Company Summary Plan Descriptions (SPDs), you may elect to participate in some or all of the Company provided benefits.

### **GROUP INSURANCE**

On the first of the month following sixty (60) days of employment, all full-time employees are eligible to be enrolled in the Company group insurance plans.

The Company currently offers a bundled medical, dental, vision and prescription plan, Flexible Spending Accounts (healthcare and dependent care), Health Savings Account (HSA), as well as life insurance. Once enrolled, to continue to qualify for these Company-sponsored benefits, you must:

- a. Be classified as full time,
- b. Work a minimum of 30 hours per week, and
- c. Work at least six months consecutively.

### **Health Insurance**

Pike Industries provides a standardized and bundled medical, dental, vision and prescription plan to all eligible full-time employees. Dental, vision and prescription premiums are included in both of the medical plan options. A Flexible Spending Account (FSA) lets you set aside money for health care or dependent care expenses. If enrolled in the High Deductible Health Plan (HDHP) a Health Savings Account (HSA) lets you set aside money for health care expenses.

There are two options from which you can choose: A Preferred Provider Organization (PPO), and a High Deductible Health Plan (HDHP) with a Health Savings Account (HSA).

A detailed outline of the healthcare plans is distributed annually to all employees. If you have questions regarding your health insurance coverage, contact the Benefits Department at 603-527-5100.

## Family Status Changes

Relates to the Healthcare Plans.

A Family Status Change is an event that may allow you to add or delete dependents on your Healthcare Plan.

These include, but are not limited to, marriage, birth, adoption, spouse's employment change, divorce, retirement, and loss of dependent status for IRS purposes. **Notice:** It is **important** that you notify the Benefit Department as soon as possible, but no later than 60 days, if any of the above listed events occur. Failure to do so could cause loss of coverage or failure for dependents to qualify for coverage until the next open enrollment period.

## **Payment of Premiums (Healthcare Plans)**

If you elect one of the healthcare plans, your cost-sharing portion of the premium will be deducted from your paycheck according to the following schedule at the beginning of each new plan year:

Monthly salaried employees: Monthly deductions over a 12-month period, beginning on or around January 1<sup>st</sup>.

Year round hourly/weekly salaried employees: Weekly deductions over a 45-week period, beginning on or around January 1<sup>st</sup>.

Seasonal hourly/weekly salaried employees: Weekly deductions over a 25-week period, beginning on or around May 1<sup>st</sup>.

At times, seasonal hourly/weekly salaried employees are placed on winter lay off before the total contribution has been deducted through weekly payroll. In these instances, the balance will be deducted from your last paycheck if possible. If this arrangement is not feasible, a winter payment plan will be established by the Benefits Department and you will be notified accordingly. If you do not make scheduled payments during the layoff period, your coverage will be cancelled at the end of the month in which the coverage has been paid for through payroll deductions and/or the winter payment plan.

## **Flexible Spending Accounts**

The Flexible Spending Accounts (FSAs) allow you to set aside money that you can use throughout the year to reimburse yourself for eligible health care and dependent care expenses. FSAs offer you tax advantages that stretch the value of your money – the money you set aside is not taxed as long as it is spent in compliance with the IRS regulations. You may participate in the FSA regardless of which medical plan you choose and whether you participate in the CRH Healthcare Plan or not.

## **Life Insurance**

Pike Industries provides Basic Life and Accidental Death & Dismemberment (AD&D) coverage to all full-time employees.

An individual certificate with an outline of benefits and limitations will be forwarded to you upon enrollment in the plan.

## Eligibility

Your life and AD&D insurance benefits are effective on the first day of the month coincident with or next following 60 days of continuous active employment. Otherwise, coverage will start the day you return to regular work.



## Coverage

You are covered for 1X your annual base salary (as of October 1<sup>st</sup> each year) of basic life insurance protection if you die for any reason while you are ensured.

Additionally, you are covered for 1X your annual base salary (as of October 1<sup>st</sup> each year) of AD&D insurance. AD&D insurance provides your beneficiary with an additional payment if your death is the result of a covered accident.

Premiums for basic life and AD&D coverage are paid in full by Pike.

Benefits reduce to 65% at age 70, and further reduce to 50% at age 75.

Benefits will terminate at the end of the month in which retirement or termination occurs.

## Beneficiary

You may assign anyone as your beneficiary and changes can be made at any time.

## **Termination of Coverage**

Employees are covered by the Healthcare Plan and life insurance coverage through the last day of the month in which employment with Pike Industries ends. This includes, but is not limited to, involuntary termination and voluntary resignation. Continuation of the Healthcare Plan is available through COBRA. Continuation of company-sponsored life insurance is available through a conversion process with the carrier.

## **DISABILITY INSURANCE**

All eligible employees will be provided with Short Term Disability (STD) and Long Term Disability (LTD) coverage. The premiums for these benefits are paid by Pike. The STD benefit pays 60% of eligible compensation for up to 26 weeks. The LTD plan also pays 60% of eligible compensation and begins after STD has been exhausted.

## **SUPPLEMENTAL INSURANCE PLANS**

An employee may elect to purchase, through payroll deduction, any of the insurances listed below at Open Enrollment only. Open enrollment takes place in the fall, generally in the month of November.

### **Supplemental Life Insurance**

## **PROFIT SHARING AND DEFERRED INCOME PLAN – 401(K) – ALSO REFERRED TO AS CRH 401K PLAN**

This plan has been established to provide our employees with retirement and other plan benefits in addition to those you may receive from Social Security. These benefits are provided through deferrals you choose to contribute from your salary, as well as the employer's corresponding company match. Employees may defer on a Traditional pre-tax and/or Roth post-tax basis according to current year's IRS limitations.

An employee becomes eligible to participate in the CRH 401(k) plan on the first day of the month following 90 days of employment. The employee must be 18 years of age. The company match will begin after 12 months of employment. Upon eligibility, employees will receive enrollment information from the current provider. New hires will automatically be enrolled in the 401(k) plan at a 5% contribution rate unless the new hire elects to opt out of participation by their automatic enrollment date (the first of the month following 90 days of employment).

An additional piece to the 401(k) plan is a profit sharing component. This is a plan in which CRH will share the successes of the company with eligible employees. The amount of the contribution will be based on the profitability of CRH each calendar year but will start at 4% for Pike employees. You



do not need to participate in the 401(k) plan in order to receive a profit sharing plan contribution. An employee must have one year of service from date of hire, have 1,000 hours of service in the plan year and must be employed on the last day of the plan year to be eligible to receive profit sharing. A 5 year graded vesting schedule will apply to the profit sharing plan.

Please contact the Benefits Administrator regarding any further details or questions about the CRH retirement plans.

## **UNEMPLOYMENT COMPENSATION**

The Company pays into the unemployment compensation fund established by the States of New Hampshire, Vermont, and Maine. Eligibility for unemployment compensation is determined by state law.

The offices of unemployment in Maine, New Hampshire, and Vermont have specific guidelines on reporting wages for time worked when applying for unemployment benefits. This includes regular wages as well as training, bonuses, or other earnings. It is every employee's responsibility to abide by the requirements of the respective state unemployment agencies.

## **EMPLOYEE ASSISTANCE PROGRAM**

Pike Industries offers an Employee Assistance Program (EAP) that provides confidential, professional referral and counseling assistance for personal problems. This service is available to all employees and their immediate family members.

We know there are times in everyone's lives when personal problems affect the ability of an employee to work effectively. We also know there are some cases where outside assistance is the best way to deal with a situation.

The EAP is our way of insuring that employees have some place to turn for confidential counseling, treatment, or rehabilitation for personal, drug or alcohol-related problems.

If you have questions about how the EAP works, contact the Human Resources Department, or look for posters giving direct referral to our EAP consultants at the regional offices.

The toll free number for the EAP is (800) 841-5144. The EAP provider is Anthem. *All voluntary contacts are strictly confidential.*

## **WELLNESS REIMBURSEMENT PROGRAM**

### **Purpose**

Pike Industries, Inc. believes that good health improves the quality of employees' personal and professional lives, which is why the company encourages all employees to pursue a healthy lifestyle.

### **Eligibility**

- All seasonal and year-round employees are eligible to participate in this program. This policy applies to Pike employees only. Extended family members are not eligible for the benefit.
- Employees may enroll in the programs below at any time during the year. Wellness Reimbursement Request Forms are available at the Human Resources Department.
- All reimbursement programs must be approved. Programs not previously approved by the Human Resources Department will not be eligible for reimbursement.

## **Types of Reimbursement**

### Health Club Membership

Other fitness programs, such as jazzercise, kick boxing, etc. will be reviewed on an individual basis and must be approved by the HR Department.

- Virtual fitness programs offered thru health club memberships and workouts streamed live (such as Peloton) will be eligible for reimbursement but must meet the eligibility criteria as outlined in the Employee Responsibility section below.

### Weight Loss Programs

Weight Watchers, Weight Watchers Online, Nutrisystem, and Jenny Craig. All other weight loss programs must be approved by the company President or Human Resources Director.

## **Reimbursement Amounts**

- Health Club membership: Reimbursement up to a maximum of \$50.00\* per month paid bi-annually in May and November. For individuals who have a family membership, reimbursement will be equivalent to the cost of a single membership. The company will not pay for upgrades to memberships that include ancillary items such as tanning, massages, etc.
- Weight Loss programs: Reimbursement up to a maximum of \$50.00\* per month paid bi-annually in May and November.

## **Employee Responsibility**

- Health Club: You must be a member of the health club and attend the facility at least eight (8) times per month. Proof of attendance is required. Most facilities have a check in procedure (ex. Scanning of ID card) and can provide a print out each month that shows your attendance. If your facility does not have the technology, please obtain an attendance sheet from the Human Resources Department. You must also show proof of membership payment. You can either submit copies of your monthly statement that identifies the membership dues being deducted from your account or a receipt from the facility that provides detail on the amount paid each month. A detailed breakdown of the membership costs must be submitted prior to your first reimbursement request.
- Weight Watchers: You must submit a copy of all payment receipts for the reimbursement period, as well as a copy of the Weight Watchers booklet verifying attendance at weekly meetings or an attendance sheet which may be obtained from the Human Resources Department. You must attend at least three (3) meetings per month in order to be eligible for reimbursement for that month. You must also submit either a copy of your canceled check (both sides), copies of your monthly statement that identifies the membership dues being deducted from your account, or a receipt from the meeting location that shows proof of payment.
- Weight Watchers Online: You must submit a copy of all payment receipts for the reimbursement period, as well as a print out from your online account verifying your weekly weigh-ins. Please be sure to redact or remove your weigh-in totals from this receipt. You must complete three (3) online weigh-ins per month in order to be eligible for reimbursement that month.
- Jenny Craig or Nutrisystem: You must submit a receipt of product purchase for the reimbursement period, including the original packing slip included with your food delivery.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made for employees with a qualifying disability.

## Reimbursement Procedure

All documentation and receipts must be submitted to the Human Resources Department bi-annually by **May 7th** (for November 1 through April 30 participation) and by **November 7th** (for May 1 through October 31 participation). Reimbursement will be made by the end of May or November.

Reimbursement checks will be processed through payroll, *subject to state and federal withholding taxes*.

## EMPLOYEE REFERRAL BONUS PROGRAM

Our company is always looking for exceptional employees to join our great team and feel it is important to reward individuals that identify and refer qualified candidates.

### Eligibility Requirements:

- Full-Time or Part-Time regular employees are eligible to receive the referral bonus.
- Name of the employee making the referral must be listed in the applicant's online application on the CRH Careers Web Site.
- Employee making the referral and the referred employee must be employed at the time of payout to receive the bonus.
- There is no limit on the amount of applicants an employee can refer.
- All bonuses are paid via payroll and subject to applicable State and Federal withholding taxes.

### Program Exclusions:

- Any management official in a supervisory chain of command or other person associated and/or involved with the recruitment, rating, or selection of the candidate.
- Any position that is not advertised or recruited for using the CRH Careers Web Site.

### Bonus Payments:

- Total bonus payment for a referred employee will be \$1,000.00. The Company has the right to adjust/amend this amount.
- Payments will be made as follows:
  - A bonus award of \$500 will be paid after the referred employee has met 90 days of employment. Providing eligibility requirements are met.
  - A second payment of \$500 will be paid after the referred employee has met one year of service, and eligibility requirements are met.

### Receiving Referral Payout:

- The referring employee must complete the Request for Payout form and submit to the human resources department for approval no later than 30 days beyond the eligibility date to receive payment.

## **EDUCATION TUITION REIMBURSEMENT PROGRAM**

### **PURPOSE**

CRH believes in the value of education, particularly in areas directly related to the business. In that regard, the division provides an Education Reimbursement Program to support the professional development of those employees who desire to further their education and who meet certain eligibility requirements.

### **SCOPE**

The program applies to full-time seasonal or year round employees who are in good standing with the company. Employees must continue to meet job performance expectations throughout enrollment. Reimbursement under the terms of the program is available to employees pursuing a GED, undergraduate degree, and graduate degree.

### **ELIGIBILITY REQUIREMENTS**

- Employees must complete one (1) year of service to participate in the program. For seasonal employees, periods of layoff will be applied to this requirement.
- A course or degree program must be directly related to the employee's current position or must enhance potential for advancement within the company.
- Employee application must include a written request, endorsed by the Line of Business or Function Manager and approved by Company President.
- Classes must be offered by an accredited technical institution, college, or university.
- Educational reimbursement does not apply to training programs, seminars, or certifications programs.

### **APPROVAL PROCESS**

- A Tuition Reimbursement Application (Appendix A) must be submitted to the Human Resources Department and must be approved by the employees Division Manager or VP prior to beginning coursework.
- Once coursework is complete, employees must submit the Request for Tuition Reimbursement form (Appendix B) along with the grade report and proof of cost within 45 days of course completion in order to receive reimbursement.

### **GUIDELINES**

- Individuals must be active employees of the North Division when the course begins and must still be employed when the course work is completed.
- Employees are expected to schedule class attendance and completion of study assignments outside of regular work hours. Management may limit the number of courses an employee can take if the schedule interferes with the employee's ability to perform the job.
- An employee who voluntarily or involuntarily terminates employment must reimburse the company 100% of all reimbursement received within the prior three years of employment. Note: this does not apply to employees affected by a reduction in force, permanent disability, or death.

- If an individual is rehired by CRH Materials North Division there is no reinstatement into ongoing coursework that may have been approved prior to termination or reimbursement for prior coursework.
- It is expected that employees who are approved for a degree program will maintain continuity with the coursework. If a break of more than 12 months in coursework occurs your application for continuation in the program must be re-evaluated.
- While successful completion of a course of study improves an employee's educational background, such accomplishment does not obligate the company to reward participants with promotion, transfer, reassignment, or compensation increase.
- IRS regulations: education reimbursement of \$5,250 in a calendar year may be taxable to the employee and it is the employee's responsibility to pay those taxes. Refer to IRS Publication 970, Tax Benefits for Education for more details.

## **GRANDFATHER CLAUSE**

Employees enrolled in an approved education reimbursement program prior to the effective date of this policy will be grandfathered under the local company program as long as they maintain eligibility and good standing with the company. Enrollment in an education reimbursement program after the effective date of this policy will fall under the guidelines and eligibility described above.

## **REIMBURSEMENT**

Undergraduate coursework:

- Employees will be reimbursed 100% for a grade of A or B (or equivalent) up to a maximum of \$5,250 per year.
- Employees will be reimbursed 50% for a grade of C (or equivalent) up to a maximum of \$5,250 per year.
- No reimbursement will be given for a grade lower than a C (orequivalent).
- Pass/Fail courses will be reimbursed at 100% for a Pass up to a maximum of \$5,250 per year.

Graduate coursework:

- Employees will be reimbursed 100% for a Grade of A or B (or equivalent) up to a maximum of \$5,250 per year.
- Employees will be reimbursed 50% for a Grad of C (or equivalent) up to a maximum of \$5,250 per year.
- No reimbursement will be given for a grade lower than a C (orequivalent).
- Pass/Fail courses will be reimbursed at 100% for a Pass up to a maximum of \$5,250 per year.

Eligible expenses include application fees and tuition. Expenses not eligible for reimbursement include but are not limited to books, lab fees, registration, hardware, late fees, parking, repeated courses, software packages, transportation, on-line charges, supplies, or graduation fees.

## **SUMMARY**

The adoption and maintenance of this program shall not be deemed to be a contract between CRH North Division and the employee. Nothing contained in the program shall give any employee the right to be retained by the company or interfere with the right of the company to terminate an employee for cause regardless of the effect that such termination will have upon the employee under the terms of this program.

Exceptions to this policy must be approved by the company President.

If you have questions regarding this policy, please contact your local Human Resources representative.

## **PIKE SCHOLARSHIP**

In our growing society, there are continuous demands upon parents, one of which is to see that our children have the chance to further their education.

Realizing this importance, the Company established the Randolph K. Pike scholarship in 1971 to help defray a portion of this expense. This award is presented annually to a Pike employee's son/daughter who is a full-time undergraduate college student or a student enrolled in a Trade School Program and whom the Scholarship Committee determines as most deserving. Applicants can be awarded a scholarship no more than two times within their post-secondary education. Scholarship applications are available through the Human Resources Department, and must be submitted by June 1 each year.

Employees are responsible for any taxes associated with the scholarship.

## **CREDIT UNION**

Employees of Pike Industries may enroll in the following Credit Unions at any time:

New Hampshire Federal Credit Union – Concord, NH and Durham, Lee, NH  
KSW Federal Credit Union – Waterville, ME

Service Federal Credit Union – Keene, NH  
Vermont Federal Credit Union – Burlington, VT

By enrolling in one of the above listed institutions, you may have a portion of your wages deducted from your weekly payroll check to be deposited in your credit union account. The Payroll Office then issues a check for the designated amount, which is mailed to your respective credit union office to be deposited in your account. For further information, contact the Payroll Department at 603-527-5100.

## **BOOT REIMBURSEMENT**

The Company will reimburse employees 50% of the purchase price of one pair of safety toed boots per year. **Note: the company will not reimburse employees for the purchase of logging style boots with raised heels more than ¾" high. All reimbursements must be approved by the employees' supervisor.** The total purchase price for safety shoes will include any applicable shipping fees if ordered electronically and also any associated state taxes. Employees are responsible for 100% of the initial costs. Reimbursement will require a store sales receipt clearly indicating that the footwear purchased meet the ANSI Z41.1 design standard. The sales receipt should be submitted to the Payroll Department for your reimbursement. The money will then be reimbursed through your weekly payroll check (added to net pay) however, the reimbursement is non-taxable. Reimbursement will only be made for the purchase of safety shoes meeting the requirements designated above.

**Reimbursement will only be made for the purchase of boots that meet the requirements described in the "Foot Protection" section of the Safety Manual.**

**PRESCRIPTION SAFETY GLASSES REIMBURSEMENT**

For those employees who must wear prescription glasses and are required by Pike management to wear safety glasses at work, Pike Industries will pay for 100% of the purchase price for one pair of prescription safety glasses (frames/lenses), up to a maximum reimbursement of \$300.00. The appropriate Division VP must approve the request in writing prior to purchase. An invoice must be submitted with the reimbursement request to the Payroll Department in Belmont.

Frames and lenses must be ANSI Z87.1-1989 approved and frames shall be fitted with permanent side shields. Frequency of reimbursement will be at the discretion of the appropriate Division VP.

**TIME OFF/LEAVES OF ABSENCE**

**PAID TIME OFF**

The company offers eligible employees many other benefits, including various types of insurance coverage, paid time off, and paid holidays. These benefits may be changed, amended, or canceled at any time as allowed by law. The following is the Company's Paid Time Off policy:

Definition:

Definition of a full-time benefit eligible employee is an employee who is regularly scheduled to work on average a minimum of 30 hours per week and at least 6 months consecutively each calendar year.

Eligibility:

Newly hired employees hired before September 1st are eligible for 40 hours of Paid Time Off during their first year of employment.

The following applies to all eligible employees who reach the years of service milestones as **defined below on the employee seniority date:**

1 year of service	2 weeks (80 hours)
5 years of service	3 weeks (120 hours)
10 years of service	4 weeks (160 hours)
20 years of service	5 weeks (200 hours)
35 years of service	6 weeks (240 hours)

Example:

Employee hired on May 15, 2023 receives:  
40 hours (to be used in current calendar year)  
80 hours (eligible on May 15<sup>th</sup>, 2024)

## Use of Paid Time Off

Every effort will be made to permit you to take your Paid Time Off at the time requested. However, due to the nature of our business, employees that are subject to seasonal layoffs may not take more than five (5) consecutive days off (inclusive of weekends if scheduled to work) between May 1 and Thanksgiving. Any exceptions to this must be approved by your supervisor. All time off must be approved by your supervisor prior to using it. **Management reserves the right to mandate the use of PAID TIME OFF during periods of mandated shutdown. Management also reserves the right to deny time off requests based on current business needs.**

## Paid Time Off Compensation

Paid Time Off will be paid at a minimum of one (1) hour, unless otherwise required by law.

All eligible employees are required to use Paid Time Off when taking a scheduled day off, unless they are not required to do so by law. Paid time off must be used when taking FMLA Leave.

Paid Time Off should be used during the payroll year. The payroll year for 2023 starts on December 25, 2022 and ends on December 23, 2023.

### Seasonal Hourly/Seasonal Weekly Salaried Employees:

Paid Time Off for seasonal hourly and weekly salaried employees is to be **used between the date that he/she is recalled at the beginning of the season and the date that he/she goes on layoff at the end of the season.**

There are two ways to use Paid Time Off:

1. **“Usable Time”** – Paid Time Off to be utilized in place of scheduled work hours/shifts. A seasonal employee interested in requesting paid time off (for example for vacation, sick time, rain days, etc.) would indicate such in the “Usable Hours” column on the Paid Time Off Request Form.
2. **“Cash Out Hours”** – Cashing out Paid Time Off in addition to regular worked hours. Seasonal employees who have more than 40 hours of Paid Time Off at the beginning of the calendar year have the option of cashing out their Paid Time Off. Paid Time Off can only be cashed out three times per season and must be done in the amount of 40 hours. Paid Time Off that is cashed out will be paid in addition to a seasonal employee’s regular worked hours for that work week. A seasonal employee interested in cashing out their Paid Time Off would indicate such in the “Cash Out Hours” column on the Paid Time Off Request Form.

At the time of seasonal layoff, all unused Paid Time Off for the current year will be paid out.

Holiday pay will only be paid in the week that the holiday falls in.

In addition to using Paid Time Off during the season, seasonal employees will be given the option of using all but 40 hours of Paid Time Off during the layoff period of January 1, 2023 until the date that he/she is recalled. NOTE: Paid Time Off cannot be cashed out during the layoff period.

For example: Employee’s recall date is May 1, 2023.

Employee is eligible for 3 weeks PTO;

Employee can take up to two weeks PTO between 1/1/2023 and 4/30/2023.



### Year Round Hourly/Weekly Salaried Employees:

Employees hired between 1/1/14 and 12/31/18 will be granted 3 weeks of paid time off until they reach the beginning of the payroll year following 5 years of service. Then they will receive Paid Time Off as outlined in the above schedule.

Paid Time Off days not used in the current payroll year will be forfeited. No payments will be made for forfeited PAID TIME OFF days/hours.

### Monthly Salaried Employees:

Employees hired before January 1, 2004 will be grandfathered under the previous Monthly Salary vacation allowance.

### Part Time Employees

Definition of a part time benefit eligible employee is an employee who is regularly scheduled for fewer than 30 hours in a 7-day period. Part time employees are eligible to accrue one hour of PTO for every 40 hours worked in a defined year.

### **Holiday during Paid Time Off**

If an observed holiday occurs during your scheduled Paid Time Off period, you will receive holiday pay and will not be charged for the Paid Time Off day.

### **Effect on Overtime**

Paid Time Off time does not count as time worked for purposes of overtime.

### **Termination of Employment**

Employees who terminate employment with the Company will receive any unused Paid Time Off allowance. **Payouts will not be made to employees who terminate with less than one year of service.**

### **Military or Jury Duty**

Time absent to fulfill mandatory jury or military duties will not be deducted from the employee's weeks of service for purposes of determining Paid Time Off eligibility.

### **Holidays**

The Company provides nine (9) paid holidays per year to full-time employees.

New Year's Day  
Martin Luther King Day  
President's Day  
Memorial Day  
Independence Day

Labor Day  
Thanksgiving Day  
Friday after Thanksgiving  
Christmas Day

Holidays are paid on the basis of eight hours at your regular rate of pay.

To qualify for holiday pay, you must work the full shift prior to the paid holiday and the workday after a paid holiday, unless you have been specifically excused from work on one or both of those days or the absence is protected by law. Part-time employees will be eligible for the same holiday schedule noted above, prorated to their average weekly hours worked in the current year.

Employees who are required to work on a paid holiday will receive eight (8) hours of holiday pay in addition to regular wages earned on the same day. Authorization to work on a paid holiday must be obtained by the Division VP.

Employees laid off or recalled during a holiday week will be paid for the holiday.

### **Effect on Overtime**

Holidays do not count as time worked for purposes of overtime calculations.

### **Bereavement Pay**

Pike Industries encourages the use of bereavement time when an employee suffers the personal loss of a death in the family. The Company will pay your straight time rate, not to exceed eight (8) hours per day, in the event that an employee must use this benefit.

#### **Immediate Family Member**

Upon request, an employee may be granted up to five (5) days of absence without loss of pay for a normal scheduled work shift. For the purpose of this policy, ***“immediate family member”*** describes:

- Spouse
- Children (including step)
- Parents (including step)

#### **Other Family Members**

Upon request, an employee may be granted up to three (3) days of absence without loss of pay for a normal scheduled work shift. For the purpose of this policy, ***“other family members”*** describes:

- siblings
- grandparents
- grandchildren
- parents-in-law

#### **Other than Immediate Family Member**

Upon request, an employee may be granted one (1) scheduled working day without loss of pay to attend the funeral, if said funeral falls on a normal scheduled work shift. For the purpose of this policy ***“other than immediate family member”*** describes:

- aunts
- uncles
- nieces
- nephews
- any relative who has been a permanent and current member of the employee's household

## **Jury Duty**

Jury Duty is a responsibility of good citizenship. If you are summoned, the Company will cooperate by allowing you the time to fulfill this important civic duty.

The Company will also pay you the difference between your daily jury pay and your daily straight time pay for eight (8) hours for each full day on which you are absent due to jury duty.

You must notify your supervisor when you have been summoned for Jury Duty, and a copy of the jury duty notice should be provided to the Human Resources Manager.

You must also keep your supervisor informed of your availability to work during the course of your jury duty selection. You are required to return to work if you are released from jury duty prior to 12:00 p.m. on any day.

Time spent at jury duty will count as work hours for purposes of overtime calculations.

## **UNPAID LEAVE**

### **General Provisions**

The following is a description of the Company's policies regarding leaves of absences. These policies incorporate both leave of absence rights available to employees under federal law and those that have been established by the Company. The Company reserves the right to amend these policies as necessary to remain in compliance with applicable laws and in order to meet its needs and those of our customers.

### **Family and Medical Leave – Policy and Procedures**

The function of this policy is to provide employees with a general description of their rights under the Family and Medical Leave Act (FMLA). In the event of a conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions about this policy, please contact the Human Resources Department.

#### Eligibility Requirements

Employees are eligible for FMLA leave if they have worked for Pike Industries, Inc. ("Pike" or the "Company") 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 Company within 75 miles.

#### Basic Leave Entitlement

Employees eligible for FMLA leave may take 12 weeks of unpaid, job-protected leave during a "rolling" 12-month period measured backward from the date of any FMLA leave usage for the following reasons:

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

Leave for reason (2) must be completed within the 12-month period beginning on the date of birth or placement. In addition, spouses employed by the Company who request leave because of reason (2) or to care for an ill parent, may only take a combined aggregate total of 12 weeks leave

for such purposes during any 12-month period.

You may not be granted FMLA leave to gain employment or work elsewhere, including self-employment. If you misrepresent facts to be granted FMLA leave, you will be subject to immediate termination.

### Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use their 12-week leave entitlement (during the “rolling” 12-month period measured backward from the date of any FMLA leave usage) 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 service member during a single “rolling” 12-month period measured backward from the date of any FMLA leave usage. A covered service member 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.

\*FMLA leave already taken for other FMLA circumstances during the “rolling” 12-month period measured backward from the date of any FMLA leave usage will be deducted from the total of 26 weeks available. Spouses employed by the Company may only take a combined aggregate total of 26 weeks of leave.

### 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.

\*The FMLA definitions of “serious injury or illness” for current service members and veterans are distinct from the FMLA definition of “serious health condition.” Please contact the Human Resources Department for additional information on these definitions.

### Use of Leave

Leave because of a serious health condition, for a serious injury or illness of a service member, or qualifying exigencies may be taken intermittently (in separate blocks of time due to a single covered health condition) or on a reduced leave schedule (reducing the usual number of hours you work per workweek or workday) if medically necessary. If leave is unpaid, the Company will reduce your salary based on the amount of time actually worked. In addition, while you are on an intermittent or reduced schedule leave for foreseeable, planned medical treatment, the Company may temporarily transfer you to an available alternative position which better accommodates your recurring leave

and which has equivalent pay and benefits.

Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Company's operations.

#### Substitution of Paid Leave for Unpaid Leave

All FMLA leave is unpaid leave. If you request leave under the FMLA for any reason, any accrued PTO you have must first be substituted and used for that unpaid leave.

In addition, the Company's short-term and/or long-term disability insurance may provide compensation during part of the 12-week leave period when the leave is requested due to your serious health condition or the birth of a child. The substitution of paid leave time for unpaid leave time does not extend the leave period beyond the 12-week or 26-week maximum allowance.

FMLA leave will run concurrently with any other applicable leave, to the extent allowed by law. For instance, worker's compensation leave may be simultaneously designated as FMLA leave as well, if the leave is also FMLA-qualifying.

#### Employee Responsibilities – Notice and Certification

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. Absent unusual circumstances, you must comply with the Company's customary notice requirements for requesting leave.

The necessary request forms to Request for Family/Medical Leave are available by contacting the Human Resources Department. You must use these forms when requesting leave.

Employees must provide sufficient information for the Company 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.

If you are requesting leave because of your own or a covered family member's serious health condition, or a covered service member's serious injury or illness, you and the relevant health care provider must supply appropriate medical certification. You may obtain a Certification of Health Care Provider form from the Human Resources Department. The medical certification must be returned within 15 days after it is requested, or as soon as reasonably possible under the circumstances. Failure to provide requested medical certification in a timely manner may result in denial or delay of leave. It is the employee's responsibility, not the health care provider's, to ensure that the Company receives the fully completed medical certification by the deadline. If the Company does not receive a fully completed certification by the deadline (unless there is a legitimate reason for delay), or if the certification does not confirm an FMLA-qualifying condition, the employee's absences will be treated according to the Company's regular attendance standards.

The Company, at its expense and where allowed by law, may require an examination by a second health care provider designated by the Company. If the second health care provider's opinion conflicts with the original medical certification, the Company, at its expense, may require a third, mutually agreeable, health care provider to conduct an examination and provide a final and binding opinion.

If you are requesting leave because of a "qualifying exigency" you must supply appropriate certification. You may obtain a Certification for Qualifying Exigency for Military Family Leave form from the Human Resources Department.

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

Employees may be required to provide periodic recertification supporting the need for leave.

### Employer Responsibilities

Once a request for FMLA leave is made, the Company will notify you whether you are eligible for leave. If you are not eligible, the Company will provide a reason for the ineligibility.

### Benefits and Protections

During an approved leave, the Company will maintain your health benefits, as if you continued to be actively employed. If paid leave is substituted for unpaid leave, the Company will deduct your portion of the health plan premium as a regular payroll deduction. If your leave is unpaid, you must pay your portion of the premium during the leave. Your group health care coverage may cease if your premium payment is more than 30 days late. If you do not return to work at the end of the leave period, you may be required to reimburse the Company for the cost of the premiums paid by the Company for maintaining coverage during your unpaid leave, unless you cannot return to work because of a serious health condition or other circumstances beyond your control.

If you wish to return to work at the expiration of your leave, you are entitled to return to your same position or to an equivalent position with equal pay, benefits and other terms and conditions of employment, subject to any applicable exceptions. You must return to work immediately after the expiration of your approved FMLA leave in order to be reinstated to your position or an equivalent position. However, you have no greater right to reinstatement or other benefits and conditions of employment than if you had not taken leave.

Certain “key” employees (i.e., a salaried employee who is in the highest paid 10% of employees at a worksite or within a 75-mile radius of that worksite) may not be returned to their former or equivalent position following a leave if restoration of employment will cause substantial economic injury to the Company. The Company will notify you if you qualify as a “key” employee, if the Company intends to deny reinstatement, and of your rights in such instances.

If you take leave because of your own serious health condition, you are required to provide medical certification that you are fit to resume work. As required by DOT regulations, DOT employees will also be required to have a DOT medical exam to ensure their DOT medical certificate is still valid. Employees failing to provide proper documentation will not be permitted to resume work until it is provided.

### Non-discrimination and Non-retaliation Provision

The Company will not interfere with, restrain, or deny the exercise of any right provided under FMLA, nor will it 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.

### State Leave Laws

To the extent that leave laws in your state contradict this policy or provide additional leave, the state leave law will be followed by the Company.

### **Maternity/Paternity Leave**

Employees may be eligible for leave under federal and/or state law for the birth of a child, adoption of a child, or placement of a child through foster care. The Company will not discriminate against any employee who requests an excused absence for medical disabilities associated with pregnancy or childbirth.

Maternity/paternity leave requests will be evaluated according to the relevant policies outlined in this Handbook and in accordance with all applicable state and federal laws. Employees seeking to take maternity/paternity leave should contact the Human Resources Manager for additional information.

### **Other Leaves of Absence**

Unpaid leaves of absence for educational pursuits, military service, or other personal reasons may be granted at the discretion of the Human Resources Director, Division VP, and/or the President, but always in compliance with applicable law. A request in writing must be submitted to the Human Resources Manager for any leave of absence. Employees on approved leaves of absence may be reinstated if a position is available and the employee meets the necessary requirements for that position. If reinstated, the employee will retain his/her seniority date and will be eligible for health benefits effective the first of the month following 30 days if rehired within 6 months.

## **GENERAL WORK RULES**

### **OUR PUBLIC IMAGE**

Our public image depends largely upon the personal appearance of our employees and the manner in which they conduct themselves on all projects, whether the project is large or small, public or private. Employees are expected to maintain a courteous, professional attitude toward each other as well as the public.

The Company's image also depends upon the quality of our workmanship and the condition in which a work site is left upon completion. Public respect for our organization means more jobs and/or work, and more jobs means we can look forward to a more prosperous company.

### **PERSONAL CELL PHONE USE**

Talking or texting on a cell phone while operating equipment can adversely distract the operator from safely performing their job function. As such, it is Company policy that:

Pike Industries, Inc. employees are prohibited from using unauthorized personal cell phones while on company time.

Company supplied cell phones and personal cell phones authorized by the employee's respective Division VP for company business are not affected by this policy. All employees using company cell phones or authorized personal cell phones shall pay special attention to the road and shall utilize a hands-free device while operating any vehicle. Every effort should be made to find a safe place to park the vehicle or equipment and make your call. Under no circumstances shall an employee text or e-mail while operating a company vehicle or equipment or while driving a personal vehicle on Company business.

### **MOBILE PHONE/ELECTRONIC DEVICE**

Mobile phones and certain electronic devices are important tools, but there are situations in which we must restrict their use to keep ourselves and those around us safe. This policy addresses the use of all mobile electronic devices at work, including but not limited to mobile phones, laptop computers, mp3 players, iPods, tablets, etc.

Mobile electronic device use must not distract you from your duties while on the job. Mobile electronic device usage includes phone conversations, texting, emailing, listening to music and other activities that can cause a distraction.



While communication is essential to our work, there are times when the use of mobile electronic devices is prohibited or limited.

- Reviewing e-mails or text messages while driving is prohibited.
- Using mobile electronic devices while operating mobile equipment is prohibited.
- No employee shall use an electronic device when they are crossing traffic routes, engaged in safety sensitive work, or in areas where the site rules strictly prohibit them.
- Cell phone usage while driving should be limited – exercise caution, be brief and utilize a hands-free system.
- Use of electronic devices and two-way radios at a plant, operations facility or jobsite should be limited – utilize secure locations that are physically removed from all distractions and areas of potential hazards.

## **USE OF CB's & HANDHELD RADIOS**

Courtesy on the radio is expected. Monitor the frequency and wait for the frequency to become clear before talking.

Other companies are licensed to use the same frequencies, and it is important for us to all get along and not interfere with each other's transmissions. Conversations must be kept to a minimum and **profanity is always forbidden**.

## **GPS/TELEMATICS DEVICES**

Tampering with or disabling any GPS or telematics device is strictly **prohibited**.

## **USE OF COMPANY EQUIPMENT**

Employees are not permitted to borrow or rent any Pike owned tools, equipment, etc. for personal use. Doing so will result in discipline up to and including termination.

## **DRESS CODE**

Employees who are not required to wear uniforms are expected to dress appropriately for their position. As an example, office employees operating in trailers or scale houses may find blue jeans the most appropriate attire. However, other office employees whose daily activities are limited to indoor work should be dressed appropriately for their role, especially when dealing with the public or in areas that may be in public view.

Employees should use common sense regarding work attire and refrain from wearing inappropriate, unnecessarily revealing, or overly provocative clothing to work. The following attire is prohibited in any working environment:

- Clothing designed specifically for sporting activities (such as sweatpants, shorts, swimsuits, etc.)
- Sleepwear (such as pajama bottoms)
- Clothing more appropriate for evening or leisure wear (such as halter, spaghetti strap, or strapless tops, half-length shirts that expose the stomach, sheer clothing/garments that are unnecessarily revealing, etc.)
- Flip flops

In all cases, employees should be neat and clean in appearance.



## **CARE OF PRIVATE PROPERTY**

Care should be taken as to where equipment is parked/staged. If you plan to leave any equipment on private property, please check with your supervisor to see that permission has been granted from the property owner.

The use of driveways or other personal property for turning vehicles is strictly prohibited unless written permission from the landowner is provided.

When leaving an area or a project, make sure it is clean and no refuse is left behind.

If any damage is done to private property, it must be reported to your supervisor and an accident report completed and sent to your supervisor immediately.

Courtesy and respect will save a lot of unnecessary apologies and paperwork.

## **LIABILITY INSURANCE**

Pike Industries does not assume responsibility for any loss associated with employee's personal vehicles. The Company recommends you maintain personal liability insurance on your vehicle in case a loss should occur. If your vehicle is not properly insured, please do not leave it on any Pike property or project sites.

## **COMPANY EQUIPMENT**

You are responsible for the daily maintenance of the equipment you are operating (cleaning, greasing, oiling, etc.) whether or not you normally operate that piece of equipment. This also includes a standard inspection of any piece of equipment newly assigned to you.

Before you begin operation, it is your responsibility to check the equipment for any damage or potential mechanical problem. If damage or a mechanical problem is found, it must be reported to your supervisor or area mechanic as soon as it is discovered.

## **DRIVER'S LICENSE REQUIREMENT**

Obtaining and maintaining a valid driver's license is an important part of the safe operation of company equipment. It is the Company's policy that:

Any employee that operates **any** mobile equipment that is owned, leased or rented by Pike, or is under Pike's control, shall carry a valid driver's license. This includes all non-registered and non-over-the-road equipment and employees using a personal vehicle for business purpose.

Employees who fall under the above criteria must notify their supervisor immediately if license privileges are suspended or revoked. The Company will review Motor Vehicle Driving Records periodically to determine if an employee meets the licensing requirement. During the Driving Record review, any employee who is identified as being disqualified from operating Company equipment shall be notified immediately. Any employee who is required to operate Company equipment may be discharged if they do not hold a valid driver's license.

## **MOVING VIOLATION POLICY**

It is critically important for the safety of Company employees and the general public that all employees who operate company vehicles will obey all traffic laws.

Should an employee exhibit negligent conduct and receive a moving vehicle violation such as speeding, reckless driving, driving to endanger, illegal passing, driving under the influence, etc. while operating a company vehicle, he/she will be subject to the following Company policy:

During a three-year (36 month) rolling time-period, any employee who receives a moving violation will be subject to the following disciplinary action:

1<sup>st</sup> Offense = written warning\*\*\*

2<sup>nd</sup> Offense = written warning and 3 day unpaid suspension

3<sup>rd</sup> Offense = termination

\*\*\*Violation of mandatory company seatbelt safety policy will result in written warning, 3 day unpaid suspension, and conducting a toolbox talk.

Notwithstanding the progressive discipline standard above, Pike reserves the right to skip steps or immediately discharge an employee depending on the facts and circumstances of the violation. Employees must notify their direct supervisor and the Equipment Manager if a moving violation is issued while driving a company vehicle. Failure to notify the Company will result in disciplinary action up to and including termination.

## **FRAUD POLICY**

Fraud is the deliberate falsification, omission, addition or removal of information or assets by one or more employees or third parties in order to unlawfully abstract value from or unlawfully cause value to accrue to a company.

Fraud may involve:

- Manipulation, falsification or alteration of records or documents;
- Misappropriation of assets or resources;
- Suppression or omission of the effects of transactions from records or documents;
- Recording of transactions without substance;
- Intentional misrepresentation of results in order to manipulate share prices, individual bonus or target amounts, or to influence decisions of the users of financial reporting.

Management fraud is perpetrated by or on the instruction of a member of Company management.

### **Responsibility for prevention and detection**

Overall responsibility for the prevention and detection of fraud rests with Directors and Management through the implementation and continued operation of adequate accounting and internal controls.

### **Procedure if fraud is suspected or detected**

In case of either suspicion or detection of fraud, the President and Vice President of Finance must be informed immediately.

If a Company President or Vice President of Finance is either suspected or detected of involvement in the fraud, or where the amount involved is suspected of being greater than \$10,000 then Internal Audit must be informed immediately.

Where the suspected amount involved in the fraud is less than \$10,000 the operating Company may take action to investigate them or may contact Internal Audit for assistance.

## **Reporting**

In all cases of fraud, a written report of the facts and investigation is to be compiled promptly; a copy of this report should be sent to Internal Audit.

## **Whistle blowing**

The Company has also established a hotline service, should individuals wish to report fraud or other matters. As phone numbers can change with time, the hotline numbers will be updated on the Company's website.

Pike does not tolerate fraud. Should an employee commit a fraud against the Company, the Company will (subject to legal restrictions) strive to prosecute and dismiss that employee. Where a decision is reached not to dismiss any employee involved, the Company President must approve the decision in advance.

Employees reporting genuine concerns or complaints will not be discriminated against or suffer retaliatory actions as a result of reporting the issue.

## **DISCIPLINARY ACTION POLICY**

The work rules and standards of conduct for Pike Industries 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 the Company's business. Please note that any employee who deviates from these rules and standards will be subject to corrective action.

The following are examples of behavior that is prohibited and could result in discipline, up to and including termination. This list is not intended to cover all forms of behavior that are considered unacceptable in the workplace. The Company reserves the right to immediately terminate an employee's employment depending on the circumstances. If a violation is criminal in nature, the matter may be referred to the appropriate agency for further investigation and action.

1. Theft or other dishonesty.
2. Falsifying time cards, other Company records, or abuse of benefits.
3. Disclosure of confidential information. Confidential Information of the Company includes: (1) the Company's finances and business plans; (2) the Company's financial projections, including but not limited to, annual sales forecasts and targets and any computation(s) of the market share of Customers and/or Customer Prospects; (3) sales information relating to the Company's product roll-outs; (4) customized software, marketing tools, and/or supplies that you will be provided access to by the Company and/or will create; (5) the identity of the Company's Customers, and/or Customer Prospects (including names, addresses, and telephone numbers of Customers, and/or Customer Prospects); (6) any list(s) of the Company's Customers and/or Customer Prospects; (7) the account terms and pricing of contracts between the Company and its Customers; (8) the proposed account terms and pricing of contracts between the Company and its Customer Prospects; and (9) the techniques, methods, and strategies by which the Company develops, manufactures, markets, distributes, and/or sells any of the products and/or services.
4. Use, consumption, possession, distribution or sale of alcohol and/or drugs, during working hours on company premises or at a work site, or reporting to work under the influence of alcohol and/or drugs.

5. Engaging in behavior, either verbal or physical, which is intimidating, threatening, or abusive towards supervisors, co-workers, customers, or members of the public.
6. Unauthorized possession of firearms or other dangerous weapons on Company property, unless otherwise allowed by law.
7. Harassment, discrimination, and/or retaliation towards a customer or another employee will not be tolerated.
8. Unexcused or excessive absences or tardiness, unless the absences are protected by law.
9. Failure to follow a supervisor's business related directions or instructions.
10. Abuse or damage to Company property, equipment, tools or to the property of others.
11. Gambling on Company premises.
12. The inappropriate and unlawful use of the Company owned telecommunications resources including computers, cell phones, e-mail, Internet, faxes, and telephones.
13. Fighting, horseplay, and reckless operation of equipment or vehicles and loud or abusive behavior.
14. Animals on any job site or Company property.
15. In the case of a vehicle or equipment accident or property damage caused by an employee's negligence or failure to exercise due care, the employee will be subject to discipline based on the severity of the incident and past safety record.

If the incident is a backing accident and results in any amount of property damage or personal injury, the offending employee shall receive a minimum of a three-day unpaid suspension.

16. Failure to wear safety harnesses and lifelines on unprotected elevated structures, equipment, or when there is any danger of falling will result in disciplinary action including a written warning and a 5 day unpaid suspension for the first offense and termination for a second offense.

The following violations will result in immediate termination:

- Any lock-out/tag-out violation
- Any confined space violation
- Failure to properly utilize all the required personal protective equipment when handling or working around hot liquid asphalt cement
- Positive drug and/or alcohol test (unless prohibited by state law)
- Drug or alcohol consumption at the workplace or jobsite
- Physically assaulting a co-worker

The above lists are not intended to be all-inclusive. Employment at Pike is considered at-will and Pike reserves the right to discharge an employee without cause and without prior notice.

## **Department of Transportation Violations – Discipline Policy**

### **Purpose**

This policy is intended to set out guidelines for compliance with the Federal Motor Carrier Safety Administration (FMCSA) regulations as well as consequences for violations of the rules that are enforced by the FMCSA.

This policy applies to any employee who operates a commercial motor vehicle as defined by the FMCSA

### **Applicable Violations**

- Failure to wear a seat belt
- Cell phone use without a wireless blue tooth
- Speeding
- Excessive speeding (work zone or 20 MPH in excess of speed limit)
- Hours of service
- Out of service order
- Other miscellaneous violations

### **Discipline**

Below is a chart outlining the minimum discipline associated with the violations listed above. Penalty legend:

P1 = three day unpaid suspension, written warning, tool box talk

P2 = five day unpaid suspension, written warning, tool box talk

P3 = termination

*The above discipline will be factored on a three-year (36 month) rolling time-period. Notwithstanding the progressive discipline standard above, Pike reserves the right to skip steps or immediately discharge an employee depending on the facts and circumstances of the violation, other disciplinary or performance issue, or for any other legitimate business reason.*

<b>Violation</b>		<b>Discipline</b>
Failure to wear a seat belt – 1 <sup>st</sup> offense	Noted by vehicle examination, warning or citation by law enforcement	P1
Failure to wear a seat belt – 2 <sup>nd</sup> offense	Noted by vehicle examination, warning or citation by law enforcement	P3
Cell phone use without a hands-free device 1 <sup>st</sup> offense	Noted by vehicle examination, warning or citation by law enforcement	P1
Cell phone use without a hands-free device 2 <sup>nd</sup> offense	Noted by vehicle examination, warning or citation by law enforcement	P3
Speeding – 1 <sup>st</sup> offense	Noted by vehicle examination, warning or citation by law enforcement	P1
Speeding – Multiple offenses	Noted by vehicle examination, warning or citation by law enforcement	P3
Speeding – Severe offenses	Work Zone or 20 MPH excess of posted speed limit	P2
Hours of Service Violation	Mandatory 34 Hour Reset. Discipline TBD based on the nature of the violation and at the discretion of the company President, Division VP or General Manager.	TBD
Other FMCSA Violations	Discipline TBD based on nature of violation and the discretion of the company President, Division VP or General Manager.	TBD

The above list is not all inclusive. All FMCSA violations will be reviewed and addressed with appropriate discipline.

In addition, discipline may be imposed for failure to abide by the FMCSA rules and regulations even if the infraction does not result in a citation.

Habitual offenders will be subject to more serious discipline, up to and including termination.

### **Reporting Violations**

Citations, tickets, or any other paperwork issued to a commercial driver by a law enforcement officer must be submitted to the respective Transportation Manager immediately. Failure to do so will result in discipline.

## **WORKPLACE VIOLENCE POLICY**

### **Purpose**

Pike Industries is committed to preventing workplace violence and maintaining a safe working environment. As such, threatening behavior or violent acts committed by or against employees will not be tolerated. The Company has adopted the following guidelines and procedures for potential incidents of workplace violence.

### **Prohibited Conduct**

Prohibited conduct includes, but is not limited to:

- injuring another person physically
- engaging in behavior that creates a reasonable fear of injury in another person
- engaging in behavior that is intended to subject another individual to extreme emotional distress
- possessing, brandishing, or using a weapon while on company premises or engaging in company business
- damaging property intentionally
- threatening to injure an individual or damage property
- committing injurious acts motivated by, or related to, domestic violence or harassment based on a protected characteristic.

Any employee who engages in prohibited conduct or any other acts of aggression or violence will be subject to immediate discipline, up to and including termination. If a violation is criminal in nature, the matter may be referred to the appropriate agency for further investigation and action. Non-employees engaged in violent acts on Pike's job sites or work locations will be reported to the proper authorities. Violation of this policy by subcontractors or other companies doing business with Pike may result in termination of the working relationship.

Pike encourages employees to bring disputes or differences with other employees to the attention of their supervisor or the Human Resources Department before the situation escalates into potential violence.

### **Reporting Procedures**

Any potentially dangerous situation must be reported immediately to a supervisor. If a supervisor is not available, contact the local Human Resources Department or 911 in extreme emergencies. Reports can be made anonymously and all reported incidents will be investigated. Reports or

incidents warranting confidentiality will be handled appropriately and information will be protected as much as is practical.

## **RESIGNATION**

Since employment with Pike Industries is at-will, you are free to resign your employment. However, in order to leave your employment in good standing, you must provide at least two weeks' notice of your resignation, return all company property and satisfy any financial obligation to the Company.

## **PAYMENT UPON TERMINATION**

All employees will be compensated for time worked through their termination date. All expense reports must be submitted within 30 days of date of termination.

## **MISCELLANEOUS**

### **WORK PROBLEMS**

In any work situation, questions and problems are bound to arise. Many of these problems can be resolved simply by talking them over with your supervisor. Problems cannot be resolved and often magnify when they are kept silent.

When a problem cannot be resolved by talking it over with a supervisor or if you are uncomfortable speaking with your supervisor, you may contact your Human Resources Manager or the Director of Human Resources in Belmont. In addition, the problem may be presented to management in a more formal procedure.

Present the problem by yourself or with a group to your supervisor. While you may make your initial contact verbally, we ask that you also provide it in writing so we better understand the issue. You will be given a response within a reasonable amount of time.

Problems or complaints are confidential to the extent possible given the situation or circumstance.

Work problems can also be reports to the CRH Compliance and Ethics Employee Hotline at 1-800-220-7505 or [www.crhhotline.com](http://www.crhhotline.com).

### **NEWSLETTER**

Pike Industries will issue a quarterly Newsletter that will include the following:

- Safety News
- Operational Updates
- Employee News
- Changes in Policies/Procedures
- Other Company News

If you have any business related information or news you would like to see printed in the Newsletter, please put it in writing and send it to the Human Resources department. The Newsletter is the best tool we have to pass on information and we encourage each Pike employee to read and understand the contents of the Newsletter.

## **PRESIDENT'S MESSAGE**

Employee Safety and Safe Work Practices are core to the management of Pike Industries. In fact, having our team go home safely is the most important thing we can do, every day. It is not just our priority it is our obligation.

Our Safety Program is designed to be a guide to the Safety and Health of all Pike employees in order to protect life, health, property, and to provide safe working conditions for all of us.

We are concerned about your finger, your eye, your limb and your life, both at work and at home. Safety is a team sport so we urge you to take care of yourself and those around you. An accident is a NO WIN situation for everyone and it is almost always accompanied by pain and tragedy.

As we begin our work season remember our Priorities; Safe, Quality, Production in that Order!

I am personally committed to a goal of ZERO HARM at Pike Industries and I urge everyone at Pike to join me on this Safety Journey.

A handwritten signature in black ink, appearing to read 'Barry Duffy', with a stylized, cursive script.

Barry Duffy  
President, Pike Industries



## **INTRODUCTION**

Safety is a core value for everyone within the company. In order to build a consistent attitude about safe work habits, everyone must start each day believing in the Zero Incident philosophy.

A Zero Incident Attitude...

- Safety is planned into every task.
- Safety is a team approach.
- Safety is achieved through prevention and awareness.
- Safety is openly communicated and practiced.

All daily work tasks can be completed without incidents by pre-planning, communication, and building safety into each activity. Individual safety can be achieved by following safety rules, regulations, and making sure safety is thoroughly considered before beginning any assigned task.

To ensure the safety of our employees, the following **GOLDEN RULES** should be reviewed each day before starting work:

- Plan safety into every task (JSA).
- Always use proper personal protective equipment (PPE).
- Correct unsafe conditions immediately.
- Only use tools or equipment in good working order and designed for the task being performed.
- Never commit an unsafe act.
- Look out for the well-being of your fellow employees.
- STOP when unsure.

The health and safety of our employees is critically important. Our Safety Program will help us achieve our goal of having each employee return from his/her scheduled shift without incident.

## **GENERAL SAFETY RULES**

- Know the Emergency Response Procedures and Emergency Contacts (fire, police, ambulance, etc.) at your work location. In most cases dialing 911 will contact you with emergency personnel.
- Alcohol and drug use, sale, distribution and possession while on Company property, job site or operating Company equipment or being under the influence of alcohol or drugs during work hours is strictly prohibited.
- Seatbelts shall be worn **at all** times while operating vehicles or equipment, if provided with such, unless the vehicle or equipment is not equipped with ROPS.
- Always use your headlights, day or night.
- Bypassing or tampering with safety devices and warning systems is strictly prohibited.
- Use of cell phones must be done hands free. **Texting and the use of computers while driving a company vehicle is strictly prohibited.**
- Horseplay will not be tolerated.
- Use proper lifting techniques. Use your legs instead of your back. No lifting more than 50 lbs. without assistance or mechanical help.
- Always stay clear of slings, cables, wire rope, and chains under tension.
- Never stand or work under hoisted or suspended loads.
- Compressed air or other gases are not to be used to dust off clothes or directed at another

employee.

- Loose fitting clothes or jewelry which may get caught in machinery or equipment shall not be worn.
- Perform an inspection of all tools, machinery and mobile equipment and personal protective equipment (PPE) prior to use or operation.
- Never use defective or damaged chisels, hammers, punches, wrenches or other tools and equipment.
- Do not use tools beyond their rated capacity.
- Use the right tool for the job.
- Know the locations of the facilities eyewash stations, fire extinguishers and first-aid kits.
- Know the location and proper use of all fire-fighting equipment.
- Promptly replace a fire extinguisher that has been discharged.
- Fire extinguishers shall be checked on a monthly basis and shall be certified annually.
- Guards shall not be removed except when necessary to make adjustments or repairs. Guards shall be replaced immediately upon completion of work and prior to starting equipment. Never operate a machine unless all guards provided are in place.
- Lock-out and Tag-out, and TEST all equipment and machinery prior to working on it.
- Weapons of any kind are not permitted on Company property.
- Never ride on mobile equipment other than in the seat provided.
- Electrical work shall only be performed by qualified personnel.
- Obey all MSHA, OSHA, EPA and DOT regulations.

### **COMPANY RESPONSIBILITY**

Pike Industries is committed to promoting a safe workplace. The Company shall provide for:

- A safe and healthful workplace for all employees.
- Maintaining an effective Safety Program.
- Training employees to perform their job effectively, efficiently and safely.

### **EMPLOYEE RESPONSIBILITY**

All employees must take responsibility for making the safety of our workplace their core value. All employees shall:

- Report to work in good mental and physical condition to carry out assigned duties in a safe manner.
- Understand and abide by all Safety policies, directives, guidelines, Best Practices, rules and regulations.
- Report **any** vehicle accident, personal injury or property damage to your supervisor immediately.
- Report all unsafe equipment or conditions to your supervisor immediately.
- Be familiar with, and actively utilize, the manufacturer's operational and safety recommendations contained in equipment manuals.
- Actively participate in Tool Box Talks and other training provided by the Company.
- Look out for the well-being of fellow workers and contractors, customers, visitors and the general public at our facilities and job sites.
- Stop unsafe acts or practices being performed by any employee, contractor or visitor.
- Wear appropriate Personal Protective Equipment as required for the task being performed.
- Plan safety into every task being performed (JSA).

## **JOB SAFETY ANALYSIS (JSA) - “THINK” Program**

Job Safety Analysis (JSA) is a process to prevent accidents by improving employee skills and awareness through an organized process. At Pike Industries the THINK Program is our JSA process. This process involves breaking down a particular job into a series of simple steps. In each of these steps, hazards are identified and documented. After these hazards are identified, then solutions and recommendations need to be developed and implemented in order to minimize or eliminate the hazards. The THINK Program uses the following JSA process:

- Identify all the steps necessary to perform the task
- Determine the resources (tools, equipment, people, etc.) necessary to perform each step
- Identify the potential hazards associated with performing each step of the task
- Determine what can be done to minimize or eliminate the potential hazards that have been identified
- Implement the suggestions for reducing or eliminating the potential hazards

All employees shall perform a Job Safety Analysis (THINK) prior to performing any new, unfamiliar, or non-routine task and/or when site conditions, work procedures, equipment, personnel, or weather conditions change.

When working as a team of two or more people (including vendors, subcontractors, and hired haulers) the Group THINK Form will be used in order to ensure that there is appropriate communication among all individuals involved in the task.

The JSA is the structure of the “Think it through, before you do” mentality and the THINK form will guide you through the process.

## **ACCIDENT AND INCIDENT REPORTING**

Accidents, either personal injury, vehicle or property damage, must be reported to your supervisor immediately. Pike Industries accident reports [LMP 28, 28A, 29 & 29A], as well as local and state reports, must be completed and sent to the Risk Manager on **the same day** that the incident occurs. The Company will fulfill other reporting obligations.

In accordance with specific state regulatory requirements and the Company’s Temporary Alternate Duty (Return-to-work) policy, no employee will be allowed to take time off from work because of a workplace injury without written direction from the doctor or permission from his or her supervisor and the Safety Department. Failure to obey this rule is cause for dismissal. The Company also requires employees to provide written authorization from their doctor, prior to return to work, stating any limitations appropriate to their ability to perform work safely and to ensure that the performance of their work does not pose a safety hazard to the employee or fellow employees.

Any motor vehicle accident involving others or having estimated property damage in excess of \$500 must be reported to the local or state police in the area. Failure to do so will subject an employee to disciplinary action.

## **TEMPORARY ALTERNATE DUTY (Return-to-Work)**

In the event that an employee sustains an injury at work in which a medical professional assigns work restrictions, the Company will make every attempt at finding a suitable temporary alternate duty job if the employee is unable to perform their regular job function. This temporary assignment will conform to all medical restrictions/limitations placed on the employee by the treating physician and employees are required to report to the workplace and perform these assignments. During this temporary alternate duty assignment period, your regular pay and benefit contribution will remain unchanged. Should an employee be assigned to a temporary alternate duty position and they become aware that they are performing tasks beyond their restrictions/limitations, the employee

should notify their supervisor and the Pike Risk Manager.

Refer to the Supervisor’s EHS Procedural Manual for additional details and information.

**DRUG AND ALCOHOL TESTING**

Drug testing for Reasonable Suspicion, and Random Screenings are covered in the Employee Manual.

**Testing Requirements**

1. Post-Accident

Employees who fall under the Department of Transportation (DOT) Federal Motor Carrier Safety Administration (FMCSA) regulations will be subject to the following post-accident testing:

Type of accident involved	Citation issued to the CMV driver	Test must be performed
i. Human fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

**HOUSEKEEPING**

Good housekeeping is an essential element in the elimination of accidents. The proper storage of materials, waste, chemicals, tools and equipment can greatly reduce the likelihood of slips, trips, falls, fires, and other accidents.

All employees shall assist in maintaining the good housekeeping at our plants, crushers, shops, yard areas, job sites, vehicles and equipment at all times. Taking pride in the neat appearance of our facilities, job sites and equipment is an important part of our public image and employee morale.

**WORKPLACE EXAMINATION**

All equipment (PPE, tools, machinery, equipment, etc.) shall be inspected on a daily basis before each use and report all defects to your supervisor. Defects on any PPE, equipment, machinery, and tools that affect safety shall be corrected in a timely manner. Any equipment that is found to be immediately dangerous to the user shall be tagged, taken out of service and shall not be used until it is repaired or replaced.

**PERSONAL PROTECTIVE EQUIPMENT (PPE)**

Employees may be exposed to uncontrolled hazards in the workplace which could result in injury or impairment. The Company will try to eliminate or minimize the uncontrolled hazards through engineering or administrative controls. At times these controls are not feasible or unreasonable to institute. In such circumstances, employees may be required to use PPE to reduce the risk of injury or impairment. Employees shall store, use and maintain PPE in a sanitary and reliable condition and in accordance with the manufacturers specifications and design. Alterations to any safety equipment by employees will not be permitted. Failure to use the appropriate PPE as required by federal regulation or Company policy increases the risk for injury and is grounds for disciplinary action up to and including termination.

Most PPE will be provided at no cost to the employee. Keep in mind that improperly fitted PPE often creates hazards, therefore, size and style variations will be made available. Employees should see their supervisor in the event that the proper PPE is not available or if they are in need of something additional.

### **Eye and Face Protection**

It is the policy of Pike Industries to require eye protection 100% of the time while engaged in work activities (including inspections, site walk downs, and general observation activities). Safety glasses need not be worn inside administrative buildings (shops and labs require 100% eye protection) or while operating motor vehicles, unless work activities exist that have the potential to create eye hazards, or their use is required locally due to conditions. Approved safety glasses (prescription or non-prescription) must be worn and must meet the ANSI Z87.1 standard. If the glasses come with removable side shields, those side shields must be worn if the glasses are to be considered approved safety glasses. Non-ANSI Z87.1 prescription glasses, contacts, or sunglasses are not acceptable forms of approved safety glasses. Information regarding Prescription Eyeglass Reimbursement can be found in the Employee Handbook.

During the risk assessment process, employees shall consider the possibility that face *and* eye protection may be needed (face shield and safety glasses/goggles). Some activities that may require the wearing of a face shield and safety glasses/goggles include any form of mechanical or gas cutting, grinding, sawing, welding, chemical handling, general equipment/vehicle maintenance, activities in and around the immediate location of asphalt plants and aggregate producing activities, or when operating or working around heavy equipment which have the potential to generate airborne debris. This is not an all-inclusive list and specific site conditions may warrant or dictate the use of combined eye and face protection. Always perform a proper risk assessment to determine hazards and barriers to those hazards.

When assessing risk that may require the use of double eye protection, consider injury from flying particles, chips or sparks, or from splashes of liquids such as asphalt, acids, caustics or solvents, and from dust. Torch cutting, saw cutting, grinding activities, chemical use, and use of pressure washers almost always require the use of safety glasses/goggles *and* a face shield. Please work with your supervisor and local safety coordinator if you have any questions.

A welding helmet with an *appropriately shaded* lens is required when an employee is performing welding activities. Refer to Welding, Cutting & Heating for further information and additional PPE requirements.

### **High Visibility Clothing**

The ability to be seen is a critical component in keeping yourself out of harm's way. When others can easily spot your whereabouts you are less likely to be involved in an accident. As such it is Pike policy that all Crushing and Asphalt plant personnel shall wear a high visibility shirt or safety vest so designated by the Vice President of Aggregates or HMA. All Pike personnel on a construction or paving/milling project shall wear an ANSI Class III shirt or safety vest at all times along with ANSI Class III pants during night work. Or, class III Gators may be used, if approved by the VP of Construction and the Local Field Safety Coordinator. All Traffic Control personnel or any other personnel conducting traffic control duties, shall wear an ANSI Class III shirt or safety vest along with ANSI Class III pants or gators at all times, day or night. All Equipment Division employees when leaving the confines of the shop to retrieve a piece of equipment or vehicle shall wear either a Hi-Vi Class III vest or Class III tee-shirt as approved by the VP of Equipment.

## **Head Protection**

**Hard Hats** have long been a symbol of safety. Individuals seen wearing a hard hat exude (project) a higher level of safety consciousness (awareness) and professionalism to co-workers, visitors, and the general public. More importantly, hard hats provide for protection from impact penetration and from falling and flying objects. **Head protection shall be worn by employees and visitors at all times in designated Hard Hat Areas or in any area where there may be a danger of falling objects.** Designated Hard Hat Areas within Pike where hard hats must be worn at all times include Crushing and Screening facilities, mining operations, Asphalt plants, construction jobsites, equipment shops and paving/ milling operations. Shop employees, and their helpers, may wear bump caps while working in equipment shops. Employees working within fully enclosed cab vehicles or equipment shall not be required to wear hard hats while in the vehicle or equipment. Hard hats shall conform to ANSI Z89.1-2003 specifications and may NOT be altered and must be worn as designated.

## **Hearing Protection**

As far as is feasible, the Company will implement accepted engineering or administrative practices to reduce worker exposure to noise within permissible sound levels. When not feasible, worker exposure to noise will be reduced through the use of hearing protectors. Employees exposed to noise levels at or above 85 dB shall be enrolled in the Hearing Conservation Program and will be required to wear hearing protection. Areas where employees are most likely to be exposed to elevated noise exposures are at asphalt plants and crushing facilities and also in the operation of construction and paving equipment.

### **Keep in mind:**

- As a general guide, if you must shout to be heard then you are in an area that requires hearing protection.
- If your earplugs have been properly inserted, cupping your hands over your ears will not result in additional noise reduction.
- Do not use earplugs if you are prone to ear infections or earwax buildup. Earmuffs must be considered in these cases.
- Earplugs must be properly inserted and worn. Hands and plugs should be clean prior to use. Follow these steps for maximum effectiveness:
  1. Slowly roll and compress the plug into a very thin, crease-free cylinder. (Don't worry about hurting the plug, it was designed to be tightly compressed).
  2. While compressed, insert the plug well into the ear canal. Fitting the plug is most effective if the ear lobe is pulled outward to open and straighten the ear canal and the plug is inserted with the other hand.
  3. With your fingertip, hold the plug in place until it begins to expand and reduce the noise.
  4. Quality and fit may be estimated by observing how the plug rests in your ear. If you are unable to check on your own, ask a co-worker for assistance. Earplug fit can be tested in the presence of noise by alternately covering and uncovering the ears with tightly pressed hands. With properly fitted plugs the noise levels should seem nearly the same whether or not the ears are covered.
  5. There are circumstances in very loud atmospheres, >105 dB, where the wearing of dual hearing protection (ear plugs and muff) is required. Please contact the Safety Department on clarification of areas that would require dual hearing protection.

Refer to the Supervisor's EHS Procedural Manual for additional details and information.

## **Respiratory Protection**

When feasible, Pike Industries, Inc. will implement accepted engineering or administrative practices to control exposure to harmful airborne contaminants in excess of permissible exposure limits. When not feasible, worker exposure to harmful airborne contaminants will be reduced through the use of MSHA/NIOSH approved respirators. Selection of respirators shall be done in accordance with ANSI Z88.2 and guidance from the Safety Department. All employees who are required to wear a respirator will be required to participate in the Company's medical clearance and surveillance program. Pike allows employees to voluntarily wear filtering face pieces (dust masks) when there are nuisance levels of contaminants. Consult your Local Field Safety Coordinator for further guidance.

### **Keep in mind:**

- If the respirator is not on your face, it shall be stored in a sealed bag.
- Used but still functional cartridges shall be stored separately.
- Respirators shall not be shared among employees.
- All workers required to wear respirators shall be clean shaven. MSHA and OSHA have determined that beards and other facial hair may impair the proper function of respiratory devices.
- Employees required to wear a respirator will have to be fit tested to ensure a proper seal between the mask and employee's face.
- Each time a respirator is donned it shall be positively and negatively pressure tested to ensure a proper seal.
- All respirators have limitations; refer to the manufacturer's specifications.
- Refer to the Supervisor's EHS Procedural Manual for additional details and information.

## **Foot Protection**

Safety-toed footwear is required to prevent injury to the feet from falling objects and other situations that could result in crushing injuries to the foot. In certain situations, metatarsal (instep) guards are available which attach to ordinary safety-toe footwear, increasing the protection.

Safety-toed footwear shall be worn by all employees when working at Crushing and Screening facilities, Mining operations, Asphalt plants, Maintenance shops, Paving operations, Construction projects, Truck Driving, Quality Control and Traffic Control functions including Flagging. This includes equipment operators, in-plant truck drivers and delivery truck drivers. Management and administrative personnel who in the performance of their duties enter into any of the designated safety shoe areas listed above, will also wear safety-toed footwear.

With a significant number of ankle injuries occurring at Pike, employees are expected to have their shoes appropriately laced when on duty to provide adequate ankle support.

Safety-toed footwear shall meet the design standards of ASTM F2413-11. Safety – toed footwear shall be of leather construction and extend above the ankle. Hiking boots and sneakers, even if they conform to either of the above referenced ASTM design standards, are not allowed under any circumstances.

Please consult the Employee Handbook for information regarding safety toed footwear reimbursement.



## **Fall Protection**

Safety Harnesses and lifelines shall be worn when working on unprotected elevated structures or equipment or when there is any danger of falling. A Body Belt is an unacceptable form of PPE except, for example, when seated in a pickup truck retrieving cones in work zones.

The current regulations are as follows:

MSHA – whenever there is a danger of falling;

OSHA (General Industry) – 4 feet or greater above the lower level;

OSHA (Construction) – 6 feet or greater above the lower level

Employees walking/working on surfaces with an unprotected side or edge which meets the criteria above shall be protected from falling by the use of guardrail systems or personal fall arrest systems. Exceptions to the above criteria will be made in accordance with federal regulations and typically include work off ladders, mobile equipment, scaffolds and steel erection. Personal fall protection shall consist of a full body harness and shock-absorbing lanyards with locking type snap hooks.

- All components of a fall arrest system (anchorage, harness, lanyard, etc.) shall be inspected prior to each use.
- Lanyards shall be secured above the point of operation to provide for a fall of no greater than 6 feet. In certain situations, additional freedom of movement may be obtained through the use of fall blocks.
- Workers shall secure themselves to a new anchor point before disconnecting from the old anchor point.
- Unless specifically designed, lanyards shall not be tied back onto themselves. Anchor straps, carabineers, and other connecting devices are designed for this purpose and shall be used.
- At no time shall a knot be tied in any lanyard as this reduces its strength
- An appropriate lanyard and full-body harness shall be used in the operation of any man lift.
- Lanyards shall be stored in a dry place and out of direct sunlight.
- Full body harnesses shall be hung by the back D-ring when in storage.
- All anchorage/tie-off points must be capable of holding 5,000 pounds, or be part of an engineered system.
- Lanyards and belt shall be used and secured when picking up cones out of pickup trucks.

## **Hand Protection**

Cuts and scrapes to the hands are a leading cause of workplace injuries. These injuries can be greatly reduced through the use of appropriate work gloves throughout the entire task. Work gloves shall be worn by all operational personnel when performing tasks such as cutting, welding, and material handling that could result in injury such as burns, cut, scrapes, or pinch hazards. In most cases leather palmed work gloves are adequate to reduce the potential for hand injuries. In some cases specialty gloves for heat, chemical use, or cut resistance (Kevlar) may be necessary. A job hazard analysis must be performed to determine the appropriate type of hand protection necessary prior to undertaking a task that requires special dexterity, fine motor skills or in cases where regular leather palmed work gloves would interfere with the ability to perform the task. Numerous glove options are available that can satisfy any situation and shall be employed. Consult your local Field Safety Coordinator for further guidance.



## Quality Control Laboratories

Employees working in Quality Control Laboratories can experience safety hazards while performing such functions as testing aggregates, asphalt, HMA, and recycled materials. It is therefore Company policy that the PPE to be used in laboratories is as follows:

### Eye Protection

- Safety glasses with permanent side shields are required when performing laboratory procedures.
- Full face shield is required when transferring solvents and/or hot asphalt liquid from one container to another when the source container is above face level or, when working with an ignition oven or a laboratory style aggregate crusher.

### Hand Protection

- Chemical resistant gloves are required when solvents or other hazardous chemicals (as noted in the SDS sheet) are used.
- Heat resistant gloves or sturdy work gloves are required when handling hot molds or pans and working in ovens.

### Foot Protection

- Safety-toed boots are required when working in the lab or out in field operations.

### Hearing Protection

- Hearing protection must be worn in all work areas posted for hearing protection. Additionally, hearing protection shall be worn in the area of the Marshall Compactor, aggregate sieve shakers (Gilson or Maryanne), laboratory aggregate crusher, proctor hammer, etc.

### Long Sleeves

- Heat Resistant Long Sleeve jackets shall be worn when transferring hot asphalt or working with an ignition oven.

## FIRE SAFETY AND PREVENTION

Most locations within our operations contain potential fire hazards and have been designated as **NO SMOKING** areas. In addition, all offices, company vehicles or equipment and other enclosed work areas have been designated as **NO SMOKING** areas through the Company's **SMOKING POLICY**. It is your responsibility to know these locations and comply with the Company's **SMOKING POLICY**. Refer to the Employee Manual for additional details and information.

- Fire Prevention
- All exits and fire equipment must be kept visible and free of obstructions.
- Do not smoke or have open flames in designated NO SMOKING areas.
- Do not smoke or have open flames around gasoline, parts cleaners, fuel oil, greases, or other combustible or flammable materials or while fueling equipment.
- Equipment powered by gasoline engines must be turned off during refueling.
- Use only approved containers for handling and storing combustible and flammable liquids.
- Immediately replace any cap from a flammable liquid container after use.
- A THINK sheet and Hot Work Permit should be filled out before welding, cutting and grinding operations.
- Please reference the Hot Work section of the manual for additional information. A few

basic precautions include:

- Inspect the area and know where sparks will land
- Always have a functioning Fire Extinguisher nearby to aid in fire fighting near combustibles
- Always check the work area afterwards to make sure no fire has developed
- Parts cleaning covers must be kept closed on all parts stations when not in use.
- Gasoline or diesel may not be used for cleaning parts or equipment nor applied to the skin as a cleaner.
- Know the location of fire extinguishers and how to use them. Be certain to use the proper extinguisher.
- Never return an empty or partially used fire extinguisher to its station. Tag it and turn it in for recharging. Report all extinguishers that have broken seals so it can be replaced.
- Fire Extinguishers must be inspected and initialed on the tag once a month.
- In case of a fire, **call 911**. If appropriate, attempt to extinguish the fire.

### **Fire Fighting**

Most fires, if detected early, can be put out with a hand held fire extinguisher. However, use good common sense before you attack a fire and if there is any possibility of the fire getting out of control. Protecting Company property WILL NOT be done at the expense of employee safety.

- Be sure you know how to operate your fire extinguisher and know the proper technique for fighting fires.
- Be sure you have an unobstructed escape route should you fail to extinguish the fire.
- Know what materials are burning and be sure the extinguisher you are using is capable of fighting the fire. **IMPORTANT! USING THE WRONG TYPE OF EXTINGUISHER FOR THE CLASS OF FIRE MAY BE DANGEROUS!**
- Consider the possible danger posed by hazardous or highly flammable materials near the fire area.
- Determine if a fire extinguisher is capable of extinguishing the magnitude of the fire.

It is reckless to fight a fire under any other circumstances. Instead, leave immediately, closing all doors leading to the fire area as you exit. Call 911 or follow the posted emergency procedures.

### **Fire Extinguishers**

Fire extinguishers are tested by independent testing laboratories and are labeled for the type of fire they are intended to extinguish. There are four classes of fires. All fire extinguishers are labeled, using standard symbols, for the classes of fires they can be used to fight. A red slash through any of the symbols tells you the extinguisher cannot be used on that class of fire.

**Class A Fires** – Ordinary combustibles such as wood, cloth, and paper.

**Class B Fires** – Flammable liquids such as gasoline, oil, and oil-based paint.

**Class C Fires** – Energized electrical equipment – including wiring, fuse boxes, circuit breakers, machinery, and appliance.

**Class D Fires** – Combustible metals – such as magnesium or sodium. Extinguishers for Class D fires must match the type of metal that is burning.

### **WARNING:**

**It is very dangerous to use water or an extinguisher labeled only for Class A fires on an oil, grease or electrical fire.**

### **Types of Fire Extinguishers:**

Depending on their intended use, portable fire extinguishers store specific extinguishing agents which are expelled onto the fire when used.

- Pressurized water models are appropriate to use on Class A fires only. These must never be used on electrical or flammable liquid fires.
- Carbon dioxide extinguishers contain pressurized liquid carbon dioxide which turns to a gas when expelled. Do not come in contact with the gas as it may freeze your skin. These models are rated for use on Class B and C fires, but never hesitate to use carbon dioxide extinguishers on a Class A Fire. Carbon dioxide is not corrosive.
- Dry chemical extinguishers blanket burning materials with powdered chemicals. In some models, the chemicals are expelled by pressure supplied by a separate gas filled cartridge. The dry chemicals used are corrosive.
- In general, Pike Industries, Inc utilizes multi-purpose dry chemical extinguishers which are appropriate for fighting Class A, B, and C fires. Every effort should be made to purchase multipurpose extinguishers.

### **How to Operate a Portable Fire Extinguisher:**

Keep your back to an exit and depending on the size of the extinguisher, start 10 to 20 feet away from the fire and follow the following **PASS** procedure.

- **P**ull the pin. This unlocks that operation lever and allows you to discharge the extinguisher. Some extinguishers may have other lever-release mechanisms.
- **A**im low. Point the extinguisher hose (or nozzle) at the base of the fire.
- **S**queeze the lever above the handle. This discharges the extinguishing agent. Releasing the lever will stop the discharge.
- **S**weep form side to side. Moving carefully toward the fire, keep the extinguisher aimed at the base of the fire and sweep back and forth until the flames appear to be out. Watch the fire area. If the fire re-ignites, repeat the process. Always be sure the fire department inspects the fire site, even if you think you've extinguished the fire.

### **WARNING:**

**Portable fire extinguishers discharge faster than most people think – many within 15-30 seconds. If you are unsuccessful in controlling the fire, leave the area at once.**

### **Fire Extinguisher Maintenance:**

Fire extinguishers shall be periodically inspected and maintained. In general, one employee from each location is assigned the responsibility of performing monthly inspections. As part of the monthly site inspections, such individuals must check to ensure that the:

- Pin is in and secured.
- Extinguisher is fully charged.
- Hose is free of obstructions.
- The yearly inspection tag is intact.

To document that the mandatory monthly inspection was performed, the employee performing the inspection will date and initial the back of the yearly inspection log in the block when the monthly inspection was performed.

An annual inspection of the fire extinguisher is also required. The yearly inspection is a more detailed evaluation of the condition and functionality of the fire extinguisher and this inspection is generally conducted by an outside vendor. If a fire extinguisher is identified to be more than 12 months beyond its last annual inspection than the employee should tag and bring the extinguisher to his/her supervisor and replace the extinguisher with one that is ready for service.

Should you become aware of a fire extinguisher which is not in compliance with these requirements, tag it out of service, and notify your supervisor immediately.

## **WEATHER CONDITIONS**

Employees may be exposed to extreme weather conditions. This may include hot, sunny days during the summer months and cold, snowy days during the winter months. Precautions should be taken to minimize the effects of these extreme conditions on your body.

### **Severe Weather Emergencies**

There may be times where severe rain, thunderstorms, high wind, snow and other storms roll into a jobsite or while driving a vehicle. It is essential to stay updated on weather forecasts, plan ahead and send messaging out to crews before the dangerous weather strikes. Use email, phones and tablets to get the word out.

If for any reason you or your crew are stuck outside in a storm you should:

- a. Recognize thunder and lightning and stop work
- b. Call supervisor to inform them of incoming storm
- c. Communicate with the entire crew that they should take shelter (job trailer, vehicle, facility, large commercial building etc.)
- d. Wait out the storm in a safe location
- e. Communicate when work should resume after a storm event
- f. Check the condition of traffic control devices, equipment, signage, material etc.

### **Cold Weather**

Employees may be required to work during the winter months and be exposed to cold weather conditions. Employees should wear insulated clothing and dress in layers. During extremely cold weather, you should attempt to cover or protect all exposed skin. You should be aware of frostbite symptoms, skin discoloration and lack of feeling or sensation. Should you experience frostbite symptoms, immediately get into a warm area, notify your supervisor and the Pike Risk Manager, and seek medical treatment if necessary.

### **Warm Weather**

Working in warm temperatures during the summer months may increase your body temperature. An increase in body temperature can affect mental alertness and physical performance. Heat tends to increase the potential for experiencing an accident due to such factors as sweaty palms, dizziness and fogged glasses. Added precautions should be taken during the summer months to avoid Heat Stress Disorders.

Heat Stress disorders such as heat stroke and heat exhaustion are more likely to occur among workers who have not adjusted to this environment. Every employee should be aware of and observe each other for signs of heat stress during the year.

**It is important to drink plenty of fluids like Gatorade and water (one cup every fifteen to twenty minutes). Gatorade and other “sport drinks” are a good source to replenish electrolytes in your body. Limit your intake of caffeine (coffee, soft drinks, etc.) as it tends to dehydrate your body.**

**Heat Stroke** is a type of heat stress that occurs as the temperature of the body rapidly rises. This is very dangerous and should be dealt with **immediately**. Heat stroke can be fatal if the affected individual is not given the appropriate treatment.

Symptoms of heat stroke include confusion, convulsion, hot dry skin, high temperature (may feel chilled), incoherent speech, staggered gait, lack of sweating and unconsciousness.

When a person has heat stroke, the body's ability to sweat becomes impaired which in turn increases the body's core temperature. If the situation is not **quickly** reversed it can be fatal.

**Treatment:** Call for medical assistance immediately. Do not wait for medical help to arrive to begin treatment. Move the victim to a cool, shaded environment and allowed to rest by lying down. If available, submerge the victim in chilled water. If you are unable to submerge the victim, wrap the individual in a thin, wet sheet and fan continuously, adding water periodically to keep the sheet wet.

**Heat Exhaustion** is type of heat stress which occurs when lacking sufficient water and/or salt in the body. The body becomes dehydrated which decreases the blood circulation.

Symptoms of Heat Exhaustion include clammy skin, confusion, dizziness, light headed, fatigue, heat rash, fainting, nausea, profuse sweating, slurred speech, weak pulse.

**Treatment:** A victim of heat exhaustion should be moved to a cool, but not cold, and shaded environment and allowed to rest by lying down. Fluids should be taken slowly and steadily by mouth until the urine volume indicates that the body's fluid level is in balance.

### **Sunlight Exposure**

During the summer months it is also important to remember that you are exposed to powerful rays of sunlight. Listed below are a few common sense rules to follow to minimize sun exposure and the harmful effects it can have on your skin:

- Wear a hat and sun glasses (tinted lens safety glasses are available).
- If you can handle the discomfort, wear a long sleeve shirt (cotton).
- Use a sun block, the higher the SPF rating the better.

## **STRETCHING**

Much of the work that our employees perform is considered heavy manual labor. Stretching prior to performing manual labor has been shown to ready your muscles and thereby reduce stresses and strains on your body. Pike has educated our employees on the benefits of stretching and it is the expectation that all operational personnel will perform stretching exercises prior to the start of their shift and office/administrative personnel will perform stretching exercises during the course of each day. It is also expected that if you have been operating equipment or sitting for an extended period of time (90 minutes) that you will perform stretching exercises periodically throughout the day.

## **SAFE LIFTING**

A significant source of back injuries, muscle strains and other injuries is a result of improperly lifting awkward, bulky or heavy loads. Always get help from a fellow employee or use a mechanical aid (forklift, crane, hand truck, etc.) whenever lifting large loads. If you must lift material manually, observe the following techniques:

- Plan your lift in advance. Make sure that your path of travel is clear and free from

obstructions and other trip hazards.

- Approach the load and size it up (weight, size and shape). Consider your physical ability to handle the load. If you are unsure if you are able to lift the load, get help. No one may lift more than 50 lbs. alone or without mechanical assistance.
- Spread your feet apart to make yourself more stable; one foot may be placed ahead of the other.
- Keep the object close to you.
- Keep your back straight, your chin in and bend your knees to the degree that is comfortable. Avoid bending at the waist.
- Get a good handhold on the object.
- Lift the load straight up smoothly and evenly. Push with your legs, keep the load close to your body and keep your back straight.
- Make the lift in a smooth motion. Jerky lifts double the stress on the body.
- Lift the object into the carrying position, making no turning or twisting movements until the lift is completed. Never turn at the waist.
- Once you have looked over your path of travel to make sure it is clear, turn your body by changing the positing of your feet. Stack material (in your arms, hand truck, etc.) in such a manner as to permit a full view of where you are walking.
- Setting the load down is just as important as picking it up. Use your legs; comfortably lower the load by bending your knees. When the load is securely positioned, release your grip.

## **FIRST-AID / CPR / AED / BLOOD BORNE PATHOGENS**

First aid stations are at located at each plant and with each construction crew. These stations contain medical supplies for minor injuries only. There must be at least one person at each facility/project trained in First Aid and CPR. All injuries beyond minor first-aid should be reviewed by professional medical personnel for treatment. All injuries shall be reported to your supervisor immediately and forward a copy of the completed form LMP-28 and LMP-28A to the Claims Administrator.

Many of Pike's operations have been equipped with an Automated External Defibrillator, or "AED" as they are more commonly known. An AED is a medical device that Emergency Medical Personnel or trained first-aiders can use to help with the initial treatment of sudden cardiac arrest (heart attack). The AED will supply an electrical impulse that will either "jump start" the heart or bring it back to a normal rhythm. Only trained personnel are allowed to respond with and use an AED.

### **Blood Borne Pathogens**

**Individuals that are trained in First-Aid and CPR and that are expected to respond to employee illnesses or injuries shall take precautions to minimize the exposure to bodily fluids. Bodily fluids do not include feces, nasal secretions (runny nose), saliva, sweat, tears, urine and vomit unless they contain visible blood. Bodily fluids can be a source of transport for various diseases and illnesses within an infected individual. Care shall be taken to reduce/eliminate exposure to bodily fluids and blood during any first aid practice through the use of latex/rubber/neoprene gloves and other protective barriers such as a face shield, apron and mouth-to-mouth shield.**

### **Molten Asphalt Cement Burns**

In the event of a molten asphalt cement burn:

Cool the asphalt cement and affected parts of the body immediately. Methods of cooling (by order of preference)

1. Completely submerge the affected area in ice water;
2. Completely submerge the affected area in tap water;

### 3. Place the affected area under running water.

Use any available clean water which is cooler than the body temperature of the victim while arranging for better cooling. Do not apply ice directly to the affected area. Leave cooled asphalt cement on the affected area! Natural separation will occur in 48 to 72 hours.

For minor asphalt cement burns (those that involve injury to small areas of fairly sensitive flesh or involve a small quantity of asphalt cement):

- At first opportunity, get the victim to a physician.

For serious asphalt cement burns (those that involve injury to the head, face or extremities, involve large amount of asphalt or involve nausea or faintness):

- Call 911 and get the victim to a hospital, clinic or physician's office as soon as possible.

If the victim goes into shock due to the burn:

- Keep the victim lying down and quiet.
- Keep the victim covered with a blanket or something similar to keep the body temperature at normal.
- Keep the victim's head lower than feet to promote blood supply to head and chest.

Refer to the Supervisor's HR/EHS Procedural Manual for additional details and information.

## **NATURAL HAZARDS**

Facilities and construction sites may present hazards which are part of the natural world, including hazards from plants and animals. Bites from rodents, snakes, ticks, spiders and other animals and insects may require medical treatment. It is advisable that all employees who are aware that they have a severe allergic reaction to insect bites should carry the antidote (Epi-pen, etc.) with them at all times and notify their supervisor of their condition.

Rabid animals also pose a serious problem to individuals who have been bitten and parasitic bites (fleas, ticks, etc.) can result in an infectious disease. To avoid attracting these creatures, dispose of all waste food and associated materials in designated receptacles with a cover. Be sure to secure the cover before leaving. During site clearing operations and site reconnaissance activities, workers must be aware of and protect themselves against the hazards of irritant and toxic plants such as poison ivy, oak and sumac.

## **EQUIPMENT OPERATION AND FLEET SAFETY**

The equipment/vehicle operator is ultimately responsible for their equipment/vehicle. At all times, the operator shall be aware of their surroundings (i.e. ground stability, overhead obstructions, etc.) and how the conditions may influence the safe operation of their vehicle.

### **Equipment Maintenance**

The equipment operator is responsible for the daily maintenance (cleaning, greasing, oiling, etc.) of the equipment that is being operated whether or not he or she normally operates that piece of equipment. This also includes a standard inspection of any piece of equipment newly assigned to an employee. Before an employee begins operation any piece of equipment (on or off-road), it is his or her responsibility to check the equipment for any damage or potential mechanical problem and complete an Equipment and Vehicle Condition Report (LMP-68). Each operator is required to complete an LMP-68 prior to operation of any piece of equipment even if the equipment has been previously operated and inspected by a prior operator during the work shift. If damage or a mechanical problem is found, it must be reported to their supervisor or Equipment Manager as soon as it is discovered. A mechanic will review the defect and determine what is required to correct the problem and if the piece of equipment is safe to operate until the repairs are made. Any



piece of equipment that is deemed eminently dangerous to operate or having missing/damaged safety sensitive devices and places the operator, fellow employees, contractors or the general public at risk shall be immediately taken out of service and not allowed to operate until the deficiency has been remedied and the hazard no longer exists.

### **Towing / Trailering**

Pike employees frequently tow several different types of trailers (message boards, generators, light towers, arrow boards, utility trailers, etc.) in the course of a shift. There is tremendous potential for accidents when towing these items. It is the responsibility of the driver to ensure the following:

- The tow vehicle is appropriate for the load.
- Ensure the trailer is not over loaded.
- The items on the trailer are properly secured.
- Distribute the load, centering the load between the trailer axle(s) and the trailer tongue.
- Ensure that the hitch is compatible and appropriately sized between the truck and trailer.
- Always use a safety pin on the trailer hitch latch.
- Make sure the wiring harness is connected and all lights are functioning.
- Connect the safety chains to the tow vehicle by crossing them underneath the trailer tongue.
- Drive appropriately for the conditions.
- Pay special attention while backing as trailers, especially short ones, can be difficult to maneuver and will jackknife quickly.
- The use of a spotter is highly recommended while backing a trailer.

### **Seatbelts**

It is expected that employees shall always wear their seatbelt when equipment is provided with such. This includes any on-road or off-road equipment (equipped with ROPS) for any amount of driving distance no matter how short or long.

### **Wheel Chocks**

The operator of a Commercial Motor Vehicle or MSHA regulated mobile mining equipment shall place chocks under the wheels when parked. Furthermore, employees operating company vehicles, equipment or enrolled in the Motus program, will place either a cone or wheel chock behind right rear tire whenever the vehicle is left unattended.

### **CDL Drivers Age Requirement**

It is Pike's policy that any driver who must possess a Class A or Class B Commercial Driver's License (CDL) in order to drive certain vehicles for the company must be at least 21 years old regardless of whether they are performing inter- or intra-state commerce.

### **Vehicle / Equipment Accident or Property Damage**

Every employee shall immediately notify their supervisor and their Regional EHS Dept. should they be involved in a vehicle or equipment accident or cause property damage. The employee must fill out form LMP-29 and LMP-29A and forward to the Claims Administrator immediately. A review of the accident will be conducted and in the case of a vehicle or equipment accident or property damage caused by an employee's negligence or failure to exercise due care, the employee will be subject to discipline based on the severity of the



incident and past safety record.

If the incident is a backing accident and results in any amount of property damage or personal injury, the offending employee shall receive a minimum of a three-day unpaid suspension.

### **General rules for the safe operation of equipment**

- Only operate equipment/vehicles for which you are properly licensed and/or trained.
- Remember to complete the CIRCLE OF SAFETY on a daily basis before operating your vehicle. Thoroughly perform a pre-operational inspection of the vehicle to ensure that it is mechanically safe and sound, checking such items as the tires, lights, fluids, fire extinguisher, backup alarm, etc. In addition, complete the CIRCLE OF SAFETY prior to re-entering your vehicle and before proceeding forward or backward as to ensure that there are no persons or obstructions in the way. In all cases, report all noted defects immediately.
- Texting and the use of computers while driving a company vehicle is strictly prohibited.
- Make sure the load is properly placed on or in the vehicle and that it is properly secured. Wear your seat belt at all times while operating company vehicles and equipment. This includes on a job-site, in a company yard or driving over-the-road.
- Always use your headlights, day or night.
- Do not ride or allow others to ride on fenders, running boards, tailgates, inside truck bodies, etc.
- Watch for depressions in the road, especially around corners, sewer grates, potholes, etc.
- Stay inside protective caging (ROPs) when operating equipment.
- If possible, avoid backing up without the direction of someone who has visibility in the direction of movement and back up as infrequently and for as short a distance as possible. Check the rear before putting it in gear.
- Do not dump or unload materials in an area that is not visible. Get another individual to act as a spotter for you.
- Report defective back up alarms to your supervisor immediately.
- Be aware of all power lines in the area that you are working.
- No part of the vehicle shall be used as a scaffold, man-lift, etc. NEVER WORK OUT OF A LOADER BUCKET.
- The operator of a Commercial Motor Vehicle or MSHA regulated mobile mining equipment shall place chocks under the wheels when parked.
- Do not exceed speed limits.
- Do not operate equipment on terrain that is too rough for it. Use the correct equipment for the job.
- All vehicles must be turned off and parking brakes set when the operator is not in the vehicle.
- Be certain that wide or high loads have the proper clearance over the entire route of travel. Do not exceed weight limits. Obtain a permit when necessary.
- Be aware of traffic patterns and watch out for changing road conditions.
- Obey all traffic signals.
- Do not proceed with a dump body in the raised position, as this is both dangerous and detrimental to the vehicle.
- Do not position yourself between the raised body of the truck and the truck's tailgate unless utilizing proper LOTOT.

- All employees must utilize three points of contact while ascending or descending equipment.
- If you contact overhead power lines you must remain in your vehicle until the power to the line is de-energized. In the event that the vehicle is on fire, the employee should jump from the cab and away from the vehicle. Once on the ground the employee shall move away from the vehicle by shuffling their feet to keep contact with the ground.

## **REGULATORY COMPLIANCE**

The Company is subject to numerous environmental, health, safety and land use rules and regulations at the Federal, State and Local level. Entities and Agencies that have some type of oversight capacity for our operations include:

- Mine Safety and Health Administration (MSHA)
- Occupational Safety and Health Administration (OSHA)
- Department of Transportation (DOT)
- All employees are expected to be familiar with those rules and regulations that impact their job function. Should an employee identify an area of non-compliance they are to notify their supervisor and their Local Field Safety Coordinator.

## **CRANE AND HOIST SAFETY**

Numerous fatalities occur within the mining and construction industry annually as a result of failed lifting devices or improperly lifted loads. Employees should take special precautions when involved with the use of cranes and hoists and lifting large objects. General rules to follow include:

- Only trained and authorized operators are permitted to operate any hoist or crane.
- Inspect cranes, hoists and lifting devices (chains, slings and wire rope) prior to use.
- Never alter a crane, hoist or lifting device.
- Confirm that the crane or hoist and the lifting device being used have a rated capacity adequate for the load being lifted.
- **Never exceed rated load capacity of a crane, hoist or lifting device.**
- Use guide ropes as necessary to assist with moving a load.
- Never stand or walk under any suspended load. Always stay clear of suspended loads.
- Hard hats shall be worn by all affected employees when lifting is being conducted.

## **FORKLIFT SAFETY**

Numerous injuries occur within the mining and construction industry annually as a result of employees lifting excessive loads. Mechanical devices such as forklifts are available to assist employees should they encounter a large item that needs to be moved. These types of mechanical lifting devices should be used whenever there is a large load to move. Employees should take special precautions when involved with the use of forklifts and lifting large objects. General rules to follow include:

- Only trained and certified operators are permitted to operate a forklift.
- Inspect the forklift prior to use.
- Never alter a forklift or add on devices not approved by the manufacturer.
- Confirm that the forklift being used has a rated capacity adequate for the load being lifted.
- **Never exceed the rated load capacity of a forklift.**
- Always travel with the forks close to the ground whether transporting a load or not.
- No passengers are allowed on a forklift.

## **CONFINED SPACES**

A confined space is defined as any space that:

- Is large enough and so configured that an employee can bodily enter with his/her entire body into it; and
- Has limited or restricted means of entry and exit; and
- Is not designed for continuous occupancy.

Entry into certain confined spaces may be more hazardous given the presence of one or more of the following characteristics.

- A potentially hazardous atmosphere.
- Material that has the potential for engulfment.
- An internal configuration such that the entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
- Recognition of another serious safety or health hazard (steam, heat ducts, radiation, noise, high voltage, rotating equipment, etc.).

Entry into confined spaces is dangerous and when not performed properly has the potential to cause serious injury and/or death. At Pike, no worker shall enter a confined space without authorization from their supervisor.

In our operations, confined spaces have been identified and usually include bag houses, asphalt silos, conveyor tunnels, pug mills, crushers, manholes, sewers, trenches, material bins, conveyor tunnels, mixer drums, etc.

### **Keep in mind:**

- All Pike confined spaces are considered Permit Required until proven otherwise.
- An LMP 67 & 67B – Confined Space Pre-Entry Checklist shall be performed prior to any confined space entry.
- Never work alone, an attendant shall always be present and in communication with the employee in the confined space.
- Continuously monitor the atmosphere within a confined space through the use of a gas monitor anytime the space is occupied.
- Always lock-out and tag-out equipment and energy sources prior to entering into a confined space.
- Where feasible, local exhaust ventilation will be supplied to a confined space.
- All appropriate PPE (ear plugs, fall protection, safety glasses, hard hats, etc.) as determined by the pre-entry evaluation shall be worn at all times while in the confined space.
- Pike employees shall not enter petroleum tanks under any circumstances.

Refer to the Supervisor's EHS Procedural Manual for additional details and information.

## **COMPRESSED GAS CYLINDERS**

A pressurized compressed gas cylinder can pose a significant risk to human health and property if there is a sudden release of the pressure. Pressurized cylinders have the potential to explode which

sends metal shrapnel in all directions or a cylinder can become a missile if the valve is knocked off.

The following precautions should be taken when storing or using compressed gas cylinders such as Oxygen, Acetylene, and All Other Pressurized Cylinders:

- Cylinder shall be chained or otherwise secured in an upright position, whether full or empty.
- When not in use and in cases in which the regulator has been removed, full or empty cylinders shall have the valves closed and cap covers in place.
- Cylinders must be placed in a cart or base designed for lifting cylinders if they are to be hoisted or lowered.
- Do not drop cylinders.
- When in storage, cylinders containing oxygen shall be separated from fuel-gas cylinders or combustible materials (especially oil or grease) by a minimum of twenty (20) feet or by a suitable non-combustible barrier at least 5 feet high having a fire resistant rating of at least one half hour.
- Cylinders shall be protected from exposure to high temperature, physical damage and sources of electric current.
- Acetylene cylinders shall be kept in an upright position when in use. Acetylene shall not be used at pressures in excess of 15 lbs. per square inch.
- Oxygen cylinders, valves, regulators, couplings, hose and apparatus shall be kept free from oil or greasy substances and shall not be handled with oily hands or gloves. The pressure shall be released from all hoses when not in use.
- Regulator gauges must be functional and lens covers in place.
- Cylinder valves shall be closed when not in use, when task is complete, before moving and when empty.
- Hoses showing leaks, burns, worn places or other defects, rendering unfit for service shall be repaired or replaced.
- Oxygen cylinders shall not be stored in rooms or areas used or designated for storage of flammable or combustible liquids, including oil and grease.
- All torches shall be equipped with a flash arrestor.
- All oxygen-acetylene carts shall be equipped with a fire extinguisher.

## **ELECTRICAL HAZARDS**

Electricity can be a dangerous and potentially serious workplace hazard exposing employees to such dangers as shock, electrocution, burns, fires, and explosions. Electrical accidents are primarily caused by a combination of three factors: unsafe equipment and or insulation, workplaces made unsafe by the environment, and unsafe work practices.

Employees shall report all electrical malfunctions or problems to their supervisor immediately. Only qualified persons under the knowledge of the shift supervisor shall reset, install, maintain or repair electrical equipment. Under no circumstances shall a Pike employee, including qualified individuals, work on live electrical equipment or circuits of greater than 480 volts.

When working with electrical equipment always:

- Inspect all electrical cords and power tools for frayed or exposed wires, cracks, heat damage and insulation damage prior to connecting to a power source.
- Wear appropriate Personal Protective Equipment (PPE) in accordance with NFPA 70E Guidelines.
- Check the cable plug to make sure the grounding pin is not missing or damaged.
- Make sure electrical cords are suitable for the correct voltage and existing working conditions.

- Ensure that electrical cords that have cuts, abrasions, burns, etc. that damage the outer insulation are removed from service.
- Have electrical cords and tools that are of the 3-wire (ground) type or double insulated.
- Use a ground-fault circuit interrupter (GFCI) in high-risk areas such as wet locations and construction sites.
- Have electrical components which are not part of a permanent system protected by ground-fault circuit interrupters.
- Stay at least 10 feet away from overhead power lines. If the voltage is more than 50,000 volts, the clearance must increase by 4 inches for each additional 10,000 volts.
- Make certain that equipment is de-energized (primary and secondary sources) before working on electrical equipment or related equipment
- Confirm that the equipment stays de-energized by following the proper lock-out/tag-out procedures.
- Never block access to an electrical panel.
- Always maintain at least a minimum of 36 inches of clearance around an electrical panel.
- All circuit breakers within panels shall be labeled identifying the appropriate circuit.
- Openings on or within panels that allow access to live parts is strictly prohibited.

It is important to remember that the single most effective defense against electrical accidents is exercising good judgment and common sense when performing any type of work on or near electrical equipment.

### **LOCK-OUT / TAG-OUT/TEST**

Before repairing, maintaining and/or cleaning machinery or equipment, all energy sources must be locked out and/or tagged out and tested to prevent unintentional energization or start-up.

A key type lock shall be applied to all machinery or equipment that is “capable of being locked out in order to secure the energy isolation device in a safe position”. In addition, a tag shall be attached to the lock for the purpose of identifying who is responsible for the machine or equipment being in a de-energized state and to warn against re-energization.

On some occasions, it is necessary to start and stop equipment repeatedly in order to repair it or leave equipment on in order to diagnose or correct the problem (i.e. tracking a conveyor). In these cases, Supervisors must follow the guidelines for Close Proximity Maintenance (CPM) procedures, including the CPM JSAs, Risk Assessments and Checklists. A minimum of two employees and a maximum of four employees are required in CPM. The Supervisor must approve the CPM work to be done. An employee will be assigned to the breaker or at the control panel of the equipment being worked on and must maintain communication with the other employees at all times during the work. With two employees, the employees must maintain a line of site with each other at all times. With more than two, the employees performing the work must be in the line of site of the employee who will be in direct communication and in the line of site of the operator of the breaker or control panel. When starting and stopping equipment, it is essential that a means of communication be maintained at all times between the employees controlling the power supply. All employees affected must stay at their posts until the job is completed.

In general, the following guidelines shall be adhered to:

- Notify all affected employees.
- Identify and locate all energy sources, stored energy and energy isolation devices. Shut down the machinery or equipment using the normal on/off controls.
- Operate the energy control devices.
- Apply the lock-out / tag-out devices.
- Remove, release or restrain all residual or stored energy.

- Verify isolation of all energies.
- Complete maintenance/repairs.
- Restore and reenergize the machinery or equipment.

#### **Keep in mind:**

- Each employee working on the equipment must install their own individually keyed lock-out / tag-out devices.
- Lock-out / tag-out devices shall only be removed by the individual who placed them on the machinery or equipment.
- Be sure that all employees are in a safe position before starting the machinery or equipment.
- Do not touch or operate any piece of equipment unless you are trained and authorized to do so.
- Do not touch or attempt to run equipment that is locked and tagged unless you are the person responsible for working on it.
- Each facility shall follow their equipment specific lock-out/tag-out procedures.

Failure to follow these guidelines can place you and your fellow employees in grave danger and at risk of being seriously injured or killed. **There is a zero tolerance policy at Pike for failing to perform lock-out/tag-out/TEST procedures. Failure to comply will result in termination of employment.**

Refer to the Supervisor's EHS Procedural Manual for additional details and information.

#### **WORKING SURFACES**

Working surfaces such as ladders and platforms must be used and maintained in a manner to prevent injuries from falls.

In general, working surfaces should follow these guidelines:

- All working surfaces shall be kept free of debris and other tools and equipment to prevent trip hazards.
- Elevated work platforms shall be equipped with an adequate rail to prevent a fall hazard. A toe board shall be installed on all platforms that individuals travel by or work beneath.
- All portable straight ladders shall be equipped with approved ladder shoes to reduce the possibility of the base of the ladder slipping while in use. Portable ladders shall be inspected for defects before use. Damaged or defective ladders shall be immediately removed from service. The supervisor shall be advised of the action taken and shall be responsible for having the ladder restored to a safe condition or replaced.
- Portable straight ladders shall be used at such a pitch that the horizontal distance from the top support to the foot will not be greater than one-fourth the vertical distance between these two points. This can be determined by using the four to one rule. The rungs on the ladder are one foot apart. The base of the ladder should be one rung length (one foot) out from the wall for every four rungs up to where the ladder touches. For example, a 12-foot ladder should be 3 feet from the bottom of the ladder to the wall.
- The top and bottom supports on which a straight ladder rests shall be rigid and capable of supporting the loads to be imposed.
- Portable straight ladders shall be secured at the top, bottom and intermediate fastenings or as is needed to hold them rigidly in place.
- All portable ladders shall be of sufficient length and shall be placed so a person will not be required to reach out too far from ladder or otherwise place himself in a hazardous position while on the ladder.

- Portable ladders shall not be used in passageways, doorways, drives, or other locations where they may be struck by traffic or where they might endanger the personnel at floor or ground level unless the area around the ladder is protected by barricades and warning signs.
- All ladders shall be used in a safe manner and be free from cracks, broken rungs, or other defects. When ascending or descending, always face the ladder and maintain at the point contact.
- Employees shall not stand above the step indicated by the manufacturer of a stepladder.

### **HAZARD COMMUNICATION (HAZ COM)**

The Hazardous Communication regulation is designed to protect employees from the effects of hazardous and toxic substances in the workplace. An extensive list of hazardous substances has been developed and includes such common items as welding gases, paints, diesel fuel, solvent/degreasers, liquid asphalt and many others. While it may seem that many of these items would present no health or safety hazards, they can be harmful to you if used improperly or without the knowledge of potential hazard.

A Safety Data Sheet (SDS) covers each of the hazardous substances you may encounter in the workplace. A SDS is a technical fact sheet which describes the substance, its physical properties, dangers it may present to you, and safety procedures necessary when handling the material. A SDS is available at each work location for each hazardous material used at that work location. In addition to maintaining the SDS sheets at each location, you supervisor has a written Hazard Communication plan. Remember that both are available for your review.

The following is available to all employees:

- A copy of the Company's written Hazard Communication Program.
- A copy of the OSHA and MSHA Hazard Communication Standard.
- A copy of the Company's list of hazardous materials present in the workplace.
- Copies of Safety Data Sheets (SDS) for the hazardous materials to which an employee may be exposed.
- Labels to identify container contents.

All containers shall be labeled to identify its contents. Workers shall never be in doubt when working with a hazardous chemical in the workplace. If further information or clarification is needed, contact your supervisor or call the number found on the SDS.

Access to the online SDS archive can be found at:

***ww1.actiocms.com***

***Username: Pike***

***Password: Safety***

#### **SAFETY DATA SHEETS**

**CRH SDS LIBRARY**



**SCAN WITH PHONE**

Refer to the Supervisor's EHS Procedural Manual for additional details and information.

### **WELDING, CUTTING, AND HEATING (HOT WORK)**

Prior to performing hot work (welding, cutting, grinding, etc...) a detailed THINK Sheet focused on fire prevention and/or a Hot Work Permit shall be filled out. This document should address all potential hazards of hot work, identify the proper PPE choice, identify fire watch personnel and



show a start and stop time of the work being performed.

Proper precautions for fire prevention (isolating welding and cutting, removing fire hazards from the vicinity, providing a fire watch, etc.) will be used in areas where welding or other “hot work” is being performed. No welding, cutting or heating will be done where flammable compounds are present or where heavy dust concentrations may create a fire hazard.

**Filter Lens Shade Numbers for Protection Against Radiant Energy:** Employees performing welding and cutting operations shall use the proper shaded safety eyewear. Employees performing light torch cutting operations of up to 1” shall use safety eyewear (glasses, welding goggles, face shield, etc.) with a 3-5 shade rating. Employees performing standard welding operations shall use safety eyewear (welding hood, welding goggles, etc.) with a 10-12 shade rating.

- Protective clothing and equipment such as a welding jacket, long sleeves, goggles, face shield and gloves are required when welding, cutting, or working with molten metal. The employee shall perform a risk assessment to determine what level of protection is needed, based on the task. (Employees shall contact their supervisor or local Safety Coordinator if they need assistance in assessing the risk, and evaluating what level of protection is needed.)
- Arc welding and cutting operations will be shielded by non-combustibles or flameproof shields to protect bystanders from direct arc rays.
- When electrode holders are left unattended, electrodes and holders will be removed or protected so they cannot make electrical contact.
- All arc welding and cutting cables will be completely insulated. Cables in need of repair shall not be used. When a cable becomes worn to the extent of exposing bare conductors, the portion exposed shall be protected with rubber and friction tape or other equivalent insulation. There will be no repairs or splices within 10 feet of an electrode holder.
- Flash arrestors shall be installed on all oxygen and acetylene assemblies. Flash arrestors shall be tested at least annually.
- Fuel gas and oxygen hoses must be easily distinguishable and not interchangeable.
- Cylinder valves shall be closed, regulators removed, and valve protection caps installed when compressed gas cylinders are in transport. An option is an MSHA, OSHA and DOT accepted protective cap designed to be used with the regulator on. It is still necessary to ensure that the valves are closed before transporting the cylinders.

Compressed gas cylinders will be secured in an upright position at all times by a suitable cylinder truck, chain or other suitable steadying device. Keep cylinders at a safe distance, or shielded from welding or cutting operation and placed where they cannot become part of an electrical circuit.

**Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials by a minimum distance of 20 feet or by a non-combustible barrier at least 5 feet high having a fire-resistance rating of at least one-half hour.**

## **MACHINE GUARDING**

Machine guarding is the best method of minimizing employee exposure to moving parts and pinch points resulting from gears, belts, sprockets, chains, shafts, etc. To reduce the risk of injury, all employees will follow these guidelines:

- All moving machine parts shall be guarded to protect persons from contacting gears, belts, sprockets, chains, shafts, fan blades and other similar parts that can cause injury.
- All machine guards will be constructed of a suitable material and be designed such that an employee cannot accidentally encounter the moving parts.
- Guards shall not be required where the exposed moving parts are at least seven feet away from walking or working surfaces and do not impose any other risks to employees.



- All guards shall be replaced upon completion of repair and maintenance activities and prior to starting up the equipment.
- Stationary grinders shall be equipped with adjustable tool rests and set so that the distance between the grinding surface of the wheel and the tool rest is not greater than 1/8 inch.
- Stationary grinders shall be equipped with adjustable tongue guards and set so that the distance between the surface of the grinding wheel and the tongue guard is not greater than 1/4 inch.
- When power operated tools/machines are designed to accommodate guards, they shall be equipped with such guards when in use.

## **EXCAVATIONS, TRENCHING, AND SHORING**

Prior to the start of any excavation, the local "Dig-Safe" organization shall be notified. The information they need will normally include the town, street address, nearest street, type of work, name of caller and company, phone number, start date and time of the excavation. This will serve to identify any underground installations/utilities that may be of concern. The common color-codes for utility locations are: Red – Electric, Yellow – Gas or Oil, Orange – Communications, Blue – Water, Green – Sewer, White – Proposed Excavation.

**On a daily basis, and whenever site conditions change, all excavations will be inspected by a competent person in accordance with OSHA regulations.** No worker shall enter the excavation until such inspection has been performed and documented. In general:

- All workers entering an excavation 5' deep or more will be protected by a trench box, shoring system or by properly sloping the sides of the trench.
- Excavations over 20' deep shall have shoring or sloping that is designed by a professional engineer.
- Secure and protect all utility lines and structures that fall within the confines of the excavating during the period it is exposed.
- Trenches shall be backfilled, graded and tamped as soon as possible.
- Tools, equipment and excavated material must be kept at least 2 feet or more from the lip of the trench.
- Trim trenches to prevent rocks or other material from falling on employees.
- Trenches 4 feet deep or more require an adequate means of exit. Steps or ladders must be located so there is not more than 25 feet of lateral travel.
- No employee shall enter a trench that has standing water.
- A competent person shall be on-site at all times when employees are present within a trench.

Note: Physical barriers may be required when the public or non-excavation related employees are exposed to the excavation.

Daily Trench Inspection forms can be accessed on the app or through your Safety Coordinator.

## **EMERGENCIES (911)**

In general, all emergencies shall be dealt with by calling 911 and requesting the assistance of the appropriate emergency response professionals (police, fire, ambulance) or by following the posted emergency procedures at your facility.

All incidents and injuries should be immediately reported to your supervisor and the Risk Manager.

Refer to the Supervisor's EHS Procedural Manual for additional details and information.

## **WORK ZONE SAFETY**

Work zones are filled with activity and are constantly changing. There are numerous hazards, including the traveling public, that are encountered as a result of the unique dynamics of work zones. To avoid accidents while in a workzone:

- Employees exposed to public vehicular traffic shall wear warning vests (safety vests) marked with or made of reflective or high visibility material. Safety vests shall conform to ANSI 107-2004 guidelines. All Pike personnel on a construction or paving/milling project shall wear an ANSI Class III shirt or safety vest at all times along with ANSI Class III pants during night work. Or, class III Gators may be used, if approved by the VP of Construction and the Local Field Safety Coordinator. All Traffic Control personnel or any other personnel conducting traffic control duties, shall wear an ANSI Class III shirt or safety vest along with ANSI Class III pants at all times, day or night. All employees and visitors are required to wear hard hats at all times while in a work zone unless inside the enclosed cab of a vehicle or equipment.
- All work zones when working on streets and highways, adequate barricades and traffic control signs shall be set up in compliance with local, state and federal regulations and shall be configured in accordance with the Manual on Uniform Traffic Control Devices (MUTCD).
- All traffic control personnel (flaggers) will have received flagger training and are certified to perform the traffic control function.
- All equipment must operate with their lights on.
- Keep informed of traffic patterns on the job and be alert to changes.
- Stay out of public travel lanes.
- Be sure the flag person is in place before entering a work area near traffic.
- Use extreme caution when installing or removing traffic control devices.
- Only trained personnel are authorized to use and operate Nuclear Density Gauges. Refer to the Supervisor's EHS Procedural Manual for additional details and information.
- Flammable and combustible liquids shall be stored in approved metal safety cans equipped with self-closing lids and flash arresting screens and shall be labeled with their contents. While in transport, these cans shall be secured.

## **HAND AND PNEUMATIC TOOL SAFETY**

Hand and pneumatic tools can cause significant injuries. Failure of hand tools (hammers, screw drivers, wrenches, punches, etc.) used beyond their intended purpose or a sudden release of compressed air used in pneumatic tools can cause permanent damage to an employee.

To minimize the potential for injury from the use of hand tools and pneumatic tools, all employees should follow these guidelines:

- All tools should be kept in good working order.
- Inspect all tools prior to use.
- Never use a tool beyond its rated capacity.
- Replace or repair damaged tools immediately.
- Tools should only be used for their intended purpose.
- Compressed air shall not be used for cleaning purposes except where reduced to 30psi or less and then only with appropriate PPE (face shield, safety glasses, gloves, hearing

protection).

- Compressed air should never be used to blow debris from a person.
- All compressed air hoses exceeding ½ inch inside diameter shall have a safety device at the source of supply or branch line to reduce pressure in case of hose failure.
- Safety clips or retainers shall be securely installed at all connections to prevent accidental disconnection and uncontrolled “whipping around” of the hose.
- Horseplay with compressed air can be deadly; any horseplay or pranks at work will be cause for severe discipline.

## **EMERGENCY SPILL RESPONSE**

Pike stores, handles and uses petroleum products in association with its operations. As a result of this interaction there exists the possibility that a release of petroleum product may occur. Pike has taken proactive measures such as installing secondary containment around storage tanks, properly training employees to identify and respond to a release and having spill containment and absorbent materials available for response activities.

All spills shall be immediately reported to the Regional Environmental Manager and to your immediate supervisor/facility foreperson/manager and appropriate response and clean-up actions should begin immediately. The Facility Manager/foreperson is familiar with his/her facility Spill, Prevention, Control and Countermeasure Plan (SPCC) and may reference the Plan to assist with proper response actions. The Facility Manager/foreperson will complete Pike’s Incident Report Form (LMP-82). The Regional Environmental Manager will determine the appropriate notification requirements based upon the size of the spill.

Clean-up of small spills can usually be performed by on-site operations personnel who have been trained to respond to spills. Clean-up of larger spills would normally be handled by an Emergency Response Contractor. Disposal of petroleum contaminated soils and absorbent materials will be done in accordance with Federal, State and Local regulations at a permitted disposal facility. The release area in question will be evaluated to determine the effectiveness of the clean-up activities.

Refer to the Supervisor’s EHS Procedural Manual for additional details and information.

## **MATERIAL HANDLING AND STORAGE**

Pike stores, handles and uses various types of chemicals in its operations, maintenance and quality control. The typical chemicals that are used are oils, greases, paints and a limited quantity of solvents. By most standards the products that we use are considered very mild. The general rule of thumb for the safe handling and storage of materials is:

- Secondary containment is provided for the storage of liquid materials
- Safety Data Sheets (SDS) are kept for materials on-site
- Containers are labeled with their contents
- Incompatible materials (e.g. acids and bases) are not stored together
- Containers are kept closed unless product is being added or removed
- Fire suppression equipment is available where flammable and/or combustible materials are stored
- Compressed gas cylinders are stored upright and secured from falling
- Adequate spill response materials are kept on-site to respond to a chemical release
- Containers stored outside are provided with containment and covered from the elements.

## **WASTE MANAGEMENT AND PROPER DISPOSAL**

Through the course of our operations, Pike generates waste materials that need to be disposed of.

Items such as part washing solvents, paints and paint filters, oil absorbents/rags, oils, batteries, anti-freeze and tires are commonly generated and need proper disposal. Pike makes every effort to minimize its waste generation, replace products to eliminate hazardous waste materials and to recycle waste materials whenever possible.

For those materials that Pike must dispose of it does so in accordance with Federal, State and Local regulations. Waste materials are evaluated to determine if they are considered Hazardous or Non-hazardous. A survey must be conducted on all buildings scheduled for demolition to determine if there is the presence of hazardous materials prior to it being raised.

Pike personnel have been trained on proper waste storage, handling and disposal. Materials shipped off-site are accompanied by the appropriate documentation (manifests) and are sent to approved facilities (permitted) for final disposal or recycling.

Refer to the Supervisor's EHS Procedural Manual for additional details and information.

