

PATE TRUCKING COMPANY, LLC

TEAM MEMBER HANDBOOK

Revised May 2016

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1.0 CEO's WELCOME

1.1 CEO's WELCOME

Welcome! You have just joined a dedicated team of employees and supervisors. We hope that your employment with the company will be rewarding and challenging. We take pride in our employees as well as the products and services we provide. We consider ourselves leaders in the field of oil and gas field services.

Please take the time now to read this employee handbook carefully. It sets out the basic rules and guidelines concerning your employment. Specific provisions contained in an individual employment agreement control over the general provisions of the handbook. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The company reserves the right to interpret, modify, or supplement the provisions of this handbook at any time.

Please understand that no employee handbook can address every situation in the work place. If you ever have questions about your employment, you are encouraged to ask them. If you have any difficulty reading or understanding any of the provisions of this handbook, please contact Human Resources. Likewise, if you have any suggestions related to company policies or procedures, please let us know.

We wish you success in your employment here at Pate Trucking Company, LLC!

All the best,

CEO of Pate Trucking Company, LLC

1.2 AT-WILL EMPLOYMENT

Your employment with the company is on an “at-will” basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the company at any time, with or without notice and with or without cause. As you can see, “at-will” employment is a two-way street.

Nothing in the employee handbook or any other company document should be understood as creating guaranteed or continued employment, a right to termination only “for cause,” or of any other guarantee of continued benefits. Only the CEO has the authority to make promises or negotiate regarding guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the CEO.

2.0 INTRODUCTORY LANGUAGE AND POLICIES

2.1 ETHICS CODE

Pate Trucking Company, LLC will conduct its business honestly and ethically wherever we maintain operations. We will constantly improve the quality of our services, products and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust and sound business judgment. No illegal or unethical conduct by officers, supervisors, employees or affiliates is in the company's best interest. We will not compromise our principles for short-term advantage. The ethical performance of the company is the sum of the ethics of the men and women who work here. We are all expected to adhere to high standards of personal integrity.

Officers, directors, and employees of Pate Trucking must never permit their personal interests to conflict, or even appear to conflict, with the interests of the company, its clients or affiliates. Officers, directors and employees must be careful to avoid representing the company in any transaction with others with whom there is any outside business affiliation or relationship. Officers, directors, and employees shall avoid using their company contacts to advance their private business or personal interests at the expense of the company, its clients or affiliates.

No bribes, kickbacks or other similar remuneration or consideration shall be given to any person or organization to attract or influence business activity. Officers, supervisors and employees shall not offer or accept gifts, gratuities, fees, bonuses or entertainment, in the course of their employment, except when authorized by their supervisors to do so. Small gifts under \$25 like hats, apparel and other items de minimis in nature are an exception. If you are unsure if a gift is acceptable please ask your immediate supervisor.

The officers, supervisors and employees of the company will often come into contact with, or have possession of, proprietary, confidential or business-sensitive information and must take all appropriate steps to assure that the confidentiality of such information is maintained. This information - whether it belongs to our company or any of its clients or affiliates - may include strategic business plans, operating results, marketing strategies, customer lists, personnel records, upcoming acquisitions and divestitures, new investments, or manufacturing costs, processes and methods. Proprietary, confidential and sensitive business information about our company, other companies, individuals and entities must be treated with sensitivity and discretion, and only be disseminated on a need-to-know basis.

Officers, supervisors and employees will seek to report all information accurately and honestly, and in conformance with applicable reporting requirements.

Officers, supervisors and employees shall not gather competitor intelligence by improper means and not act on knowledge gathered in such a manner.

Officers, supervisors and employees will seek to avoid exaggerating or disparaging comparisons of the services and competence of their competitors.

Officers, supervisors and employees will obey all Equal Employment Opportunity laws and act with respect and responsibility towards others in all of their dealings.

Officers, supervisors and employees agree to promptly disclose unethical, dishonest, fraudulent and illegal behavior, or any violation of company policies and procedures, directly to management.

Violation of the Code of Ethics can result in discipline, including possible termination. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

If you ever have any doubt about whether your conduct or that of another meets the company's ethical standards or compromises the company's reputation, please discuss it with your supervisor.

Remember: good ethics is good business!

2.2 GOALS OF PATE TRUCKING COMPANY, LLC

The primary goal of the company is to provide the highest service level possible to our customers. We will provide a workplace that provides employees with the opportunity to enjoy their career and a change to improve their quality of life. The company also strives to promote, through its everyday operations, honesty, truth and fairness to all concerned.

2.3 HOW TO BE AN EXCELLENT EMPLOYEE

- Understand that building powerful relationships requires absolute trust, a shared direction, open communication and deep commitment.
- Keep yourself focused and alert at all times.
- Don't be afraid to admit mistakes. It is better to admit you made a mistake, learn why you made the mistake, and then make sure you don't do it again.
- Don't be afraid to say, "I don't know." It is better to confess confusion and learn the right way of doing things than to pass on or rely on false information that may be damaging to you and the company.
- Don't talk behind someone's back. We expect your loyalty and best efforts. Expect ours in return. If there is something you dislike, let us know what is bothering you and we will try to work it out.
- Don't just punch the clock. If you run out of things to do during the workday, find out if there is anything else you can do to help bring value to the company, its clients, customers and other stakeholders.
- Embrace the diversity of our employees and customers.
- Dress correctly. Wear clothes that will make other people feel comfortable and that reflects your professionalism.

- Don't harass, discriminate, use profanity, or tell off-color jokes.
- Be honest and trustworthy. Follow the Code of Ethics in the Employee Handbook.
- Think! Be creative and innovative. The company is willing to listen to any suggestions or ideas you have which will increase the quality and value of our products or services.
- Follow the Golden Rule! Act with respect and responsibility towards those around you.

2.4 TEAM COMMITMENTS

- There is no substitute for a company playing "team". More often than not, our work is done by teams of employees. We expect team members to assume their fair share of responsibility, to continue to maintain and upgrade their skills, to communicate clearly and politely with one another, and to work together cooperatively. It has been said that team stands for **T**ogether **E**ach **A**chieves **M**ore. Following "team" is an important ingredient of our mutual success.
- No one is more responsible for your performance than you are.
- To be a valuable team member you must possess strong skills and a trustworthy character.
- Use honest, direct and caring communication.
- Focus on empowerment, not control.
- Focus on cooperation, not competition.
- Seek and expect active participation by all team members.
- Differences and disagreements are expected during the decision-making process, but 100% support of decisions is required once they are made.
- Be very clear about the company's direction. Know our vision, mission, values and goals.
- Be an active listener. Do not interrupt. First seek to understand and then to be understood.
- The best time to discuss your personal life is on personal time.
- Don't talk behind people's backs.
- Saying "no" is OK. Just make sure you're saying it for the right reason.
- All members of this company have responsibility for enforcing the rules.
- If a team rule is broken, deal with it immediately.

2.5 REVISIONS TO MANUAL

This employee handbook attempts to keep you informed of the terms and conditions of your employment, including company policies and procedures. The handbook is not a contract. The company reserves the rights to revise, add, or delete from this handbook as it determines to be in its best interest. When changes are made to the policies and guidelines, we will communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on company bulletin boards.

3.0 HIRING AND ORIENTATION POLICIES

3.1 EEO STATEMENT AND NON-HARASSMENT POLICY

EQUAL OPPORTUNITY STATEMENT

Our company is committed to the principles of Equal Employment. We will comply with all Federal, State, and local laws providing Equal Employment Opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment free of harassment or discrimination because of sex, race, religion, color, national origin, physical or mental disability, genetic information, marital status, age, sexual orientation, gender identity, military service, veteran status, or any other status protected by Federal, State or local laws. The company is dedicated to fulfilling this policy regarding all aspects of the employment relationship, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay and other compensation, and all other terms conditions and privileges of employment.

The company will conduct a prompt and thorough investigation of all allegations of discrimination or any violation of the company's Equal Employment Opportunity Policy in as confidential a manner as possible to take appropriate corrective action, if and where warranted. The company prohibits retaliation against any employee who provides information about, complaints, or assists in the investigation of any complaint of discrimination or violation of the company's Equal Employment Opportunity Policy.

We are all responsible for upholding the company's Equal Employment Opportunity policy and any claimed violations of that policy should be brought to the attention of your supervisors and/or human resource personnel.

Policy Against Workplace Harassment

Pate Trucking Company, LLC has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's sex, race, religion, color, national origin, physical or mental disability, marital status, age, sexual orientation, sexual identity or any other status protected by federal, state or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers and clients are strictly prohibited and will not be tolerated.

Sexual Harassment includes:

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment (2) submission to or rejection of such conduct by an individual is the basis for employment decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment are provided below: (a) unwelcome requests for sexual favors; (b) lewd or derogatory comments or jokes; (c) comments regarding sexual behavior or the body of another employee; (d) sexual innuendo and other vocal activity

such as catcalls or whistles; (e) obscene letters, notes, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature; (f) continuing to express sexual interest after being informed that interest is unwelcome; (g) retaliating against an employee for refusing a sexual advance or reporting an incident of possible sexual harassment to Pate Trucking Company, LLC or any government agency; (h) offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and (i) any unwanted physical touching or assaults, or blocking or impeding movements. The definition of harassment because of sex under these provisions does not require the harassing conduct to be motivated by sexual desire.

Other Workplace Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion towards an individual because of the individual's sex, race, religion, color, national origin, physical or mental disability, marital status, age, sexual orientation or any other status protected by federal, state or local laws, and that: (1) contributes to or has the effect of creating an intimidating, hostile, or offensive working environment; (2) unreasonably interferes with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities.

Again, while it is not possible to list all the circumstances that constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment: (a) using disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to the above protected categories; (b) written or graphic material that insults, stereotypes or shows aversion or hostility towards an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail or elsewhere on the company's premises, or circulated in the workplace; and (c) a display of symbols, slogans or items associated with hate or intolerance towards any select group.

WE WILL NOT TOLERATE ANY FORM OF DISCRIMINATION OR HARASSMENT!

Any employee who feels he or she has witnessed, or been subject to, any form of discrimination or harassment **is required to immediately** notify their supervisor, or another supervisor at the company.

Pate Trucking Company, LLC prohibits retaliation against any employee who provides information about, complains, or assists in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. Discipline for violation of this policy may include, but is not limited to reprimand, suspension, demotion, transfer and discharge. If the company determines that harassment or discrimination occurred, corrective action will be taken to end the harassment. As necessary, the company may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the company will follow up to ensure no retaliation occurred for making a complaint or cooperating with an investigation.

3.2 DISABILITY ACCOMMODATION

Qualified applicants or employees who inform the company they have a physical or mental disability, which requires accommodation for them to perform the essential functions of their jobs should inform their supervisor of this so we can together discuss what accommodations are available and appropriate.

Procedure for Reasonable Accommodation Requests:

- Employee advises supervisor of the need for accommodation. Employee completes a Request for Accommodation form and gives it to his/her supervisor.
- The accommodation request will be discussed with the employee and the employee's supervisor(s).
- The employee may be required to provide documentation supporting a disability.
- If a reasonable appropriate accommodation is readily available, the request will be approved and the accommodation implemented.
- If an accommodation is not readily ascertainable, the matter will be pursued further with assistance from appropriate external resources.

3.3 RELIGIOUS ACCOMMODATION

Pate Trucking Company, LLC is dedicated to treating the religious diversity of all our employees equally and with respect. Employees may request an accommodation when their religious beliefs cause a deviation from the Pate Trucking Company, LLC dress code, schedule, basic job duties, or other aspects of employment. Pate Trucking Company, LLC will consider the request but reserves the right to offer its own accommodation to the extent permitted by law. Accommodations may include but are not limited to changes in current job conditions, a change in position, an exception to the dress code, paid/unpaid leave time, etc. Pate Trucking Company, LLC will consider cost, the effect that an accommodation will have on current established policies and the burden on operations, including other employees, when determining a reasonable accommodation. At no time will Pate Trucking Company, LLC question the validity of a person's belief.

Contact Human Resources if you need to submit a Religious Accommodation Request.

3.4 CONFLICTS OF INTEREST

Pate Trucking Company, LLC is concerned with conflicts of interest that create actual or potential job related concerns, especially in the areas of confidentiality, customer relations, safety, security, and morale. The employee must disclose to their supervisor any actual or potential conflict of interest between an employee of the company and a competitor, supplier, distributor, or contractor to the company. If an actual or potential conflict of interest is determined to exist, the company will take such steps, as it deems necessary to reduce or eliminate this conflict.

3.5 NEW EMPLOYEES AND INTRODUCTORY PERIODS

The first 60 days of your employment is considered an introductory period. During this period you will become familiar with Pate Trucking Company, LLC and your job responsibilities. We will have the opportunity to monitor the quality and value of your performance and make any necessary adjustments in your job duties or responsibilities. Your introductory period with the company can

be shorted or lengthened as deemed appropriate by management. Completion of this introductory period does not imply guaranteed or continued employment. Nothing that occurs during or after this period should be construed to change the nature the "at-will" employment relationship.

3.6 TRAINING PROGRAM

Usually, and for most departments, their department supervisor does employee training individually. Even if an employee has had previous experience in their specified functions, it is necessary for them to learn our specific procedures, and the responsibilities of the specific position. If you ever feel you require additional training, please consult your supervisor.

3.7 PROOF OF CITIZENSHIP AND RIGHT TO WORK

All new hires and current employees are required by Federal law to verify their identity and eligibility to work in the United States. You will be required to complete Federal form I-9, Employment Eligibility Verification Form, upon application for employment. If you are employed and have not complied with this requirement or if your status has changed, please inform your supervisor.

4.0 WAGE AND HOUR POLICIES

4.1 INTRODUCTION

What an employee is paid depends on a wide range of factors, including pay scale surveys, individual effort, company profits and market forces. If you have any questions about your compensation, including matters such as paid time off, overtime, benefits or paycheck deductions, please contact Human Resources.

4.2 PAY PERIOD

The Pate Trucking Company, LLC workweek begins Sunday at 12:00 a.m. and ends Saturday at 11:59pm. Employees are paid weekly. You will receive your paycheck every Friday following the end of the pay period. Employees should never discuss questions about pay with anyone other than their own manager, supervisor or Human Resources.

4.3 PAYCHECK DEDUCTIONS

The company is required by Federal and State law to make certain deductions from your paycheck. This includes Federal income tax, State income and unemployment tax, FICA contributions (social security and Medicare), and State Disability Insurance (SDI). Deductions are also taken for your health/life insurance co-pays, 401(k), and supplemental insurance. The amount of your tax deductions will depend on your earnings and the number of exemptions you list on your W-4 Form. If you do not believe your paycheck is accurate, please immediately contact Human Resources. Any questions about your paycheck should be directed to your supervisor or Human Resources.

4.4 WAGE GARNISHMENTS

A wage garnishment is an order from a court or government agency directing us to withhold a certain amount of money from an employee's paycheck and send it to a person or agency. Wages can be garnished to pay child support, spousal support or alimony, tax debts, outstanding student loans, or money owed as a result of a judgment in a civil suit.

If we are instructed by a court or agency to garnish an employee's wages, the employer will be notified of the garnishment immediately. Please note that we are legally required to comply with these orders. If you dispute or have concerns about the amount of a garnishment, you must contact the court or agency that issued the order.

4.5 DIRECT DEPOSIT

Direct Deposit of payroll checks are be available to you. At the time of hire, the Direct Deposit Form will be filled out. You will need to provide a voided deposit slip for your bank account and complete the form to set up the deposit. The direct deposit will occur after your account has been pre-noted through your bank.

If you have selected the Direct Deposit payroll service, a written explanation of your deductions will be detailed in the preceding sections in lieu of a check. If you would rather receive a paper check, please contact Human Resources.

4.6 HOURS OF WORK

Work schedules vary throughout Pate and are established by local managers and supervisors. Managers and supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variation in starting and ending times as well as variations in the total hours that may be scheduled each day. Employees should consult with their manager or supervisor with any questions regarding work schedules.

4.7 RECORDING TIME

Federal and State laws require us to keep accurate records of hours worked in order to calculate employee pay and benefits.

Time worked is the time actually spent on the job performing assigned duties. Reported hours worked should accurately reflect the actual time employees spend on the job and should not include any time spent away from work. Overtime work must always be approved before it is performed.

Employees who do not track their work hours on a revenue ticket or a yard ticket are required to submit a time sheet for all hours worked in that pay period. The time sheet should reflect the hours that the employee worked and be submitted to their supervisor.

No employee is permitted to work “off the clock” or to “volunteer” his or her time without being paid. It is the company’s policy and practice that all employees shall be paid for working time.

Falsification of time records or recording time for another employee may result in discipline, up to and including termination of employment.

4.8 TRAVEL TIME PAY

Non-exempt employees required to travel in conducting their work are paid in the following way:

1. If an employee reports to the workplace and then must travel to another site to work for the day, travel time to the assigned work place will be paid.
2. When an employee must report to a site other than their regular work site, and goes directly to that site without first going to the regular work place, the company will pay the employee travel time for any time over the employee’s normal commute time to the regular site.
3. Employees required to travel to a distant work place. Example: an employee works eight hours at the corporate office and then goes to the airport, flies to Phoenix, stays at a hotel, works six hours in Phoenix the next day and then returns to San Diego. The employee will be paid for the first eight-hour period. Under the circumstances, travel time begins when he/she leaves the corporate office to go to the airport. It ends when the employee arrives at the hotel in Phoenix. The employee receives his/her regular six-hour pay while in Phoenix. When the employee leaves the Phoenix work site for the airport, travel time begins. It ends when he/she arrives at the San Diego airport to go home.

4. Travel hours are “hours worked” for the purposes of calculating overtime.

NOTE: The company may implement an alternative rate of pay for travel time, inventory work, training, clean up time and related activities, equivalent to a percentage of your regular pay rate.

4.9 OVERTIME AUTHORIZATION FOR NON-EXEMPT EMPLOYEES

If you are a non-exempt employee, you may qualify for overtime pay. All overtime must be approved in advance, by your supervisor.

Overtime pay of time and one-half an employee’s regular rate of pay or average pay rate if you perform work at different pay rates during the week, is paid for any hours worked over forty hours in a workweek. Holidays and PTO does not count as time worked for computing overtime.

4.10 ATTENDANCE POLICY

To maintain a safe and productive work environment, the company expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the company. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive and will not be tolerated.

4.11 JOB ABANDONMENT

If an employee fails to show up for work or call in with an acceptable reason for their absence for a period of three consecutive days, they will be considered to have abandoned their job and voluntarily terminated their employment.

4.12 TRAVEL EXPENSES

This policy defines employee travel rules and the authority for incurring and approving travel expenses.

Travel expenses are the reasonable and necessary expenses incurred by employees when traveling on approved company business trips. Company travel is limited to business activities for which other means of communication is inadequate and for which prior approval of the employee’s supervisor has been received.

Advances

The company does not provide cash travel advances, except in case of extreme hardship. Normally, employees are expected to use personal credit cards and/or their own cash and submit their approved expenses on the standard Expense Report Form.

Travel Expenses

The company pays the actual amounts incurred for appropriate expenses when employees are on travel assignments. Examples of typical expenses include:

- Airline tickets
- Meals and lodging
- Car rental, bus, taxi, parking
- Telephone and fax
- Business supplies and services
- Associated gratuities
- Other expenses necessary to achieve the business purposes

Family members

The company will pay the travel expenses of spouses or other family members only when their presence is necessary to the business purpose of the trip and when approved in advance.

Hotels

Neither in-room movies nor refreshment bars are approved company expenses.

Insurance

The company does not pay for personal travel insurance for employees.

Rental Cars

Employees use rental firms having existing relationships with the company and, where feasible, have negotiated discounts rates. Reasonable transportation available is used in all other cases.

Personal Vehicles

If an employee drives their personal vehicle in the performance of their job duties and is not included in the Vehicle Allowance Program, they will be provided a monthly vehicle allowance. The company has a right to change the requirements and the amount of an allowance when necessary. This allowance shall be added to the employee's salary and included on the employee's paychecks. In order for an employee to receive a vehicle allowance it must be approved by the CFO.

The company will reimburse the monthly auto insurance for employees in the Vehicle Allowance Program. An annual Motor Vehicle Record (MVR) will be done for all employees that are granted the vehicle allowance.

4.13 BUSINESS EXPENSES

This policy defines approved employee business expenses and the authority for incurring and approving such expenses.

Approved business expenses are the reasonable and necessary expenses incurred by employees to achieve legitimate business purposes that are not covered by normal company procurement processes.

Approved employee business expenses:

Business Meetings (company-sponsored Events and Meetings)

The company pays for expenses necessary to achieve a valid business purpose when meetings are held with customers, vendors or other company employees. The most senior company employee present pays and reports all expenses.

The company will strive to have a master account set up for company-wide and large group events. However, if you are at a small meeting or staying by yourself at a hotel, pay individually and submit for reimbursement accordingly.

Entertainment

The company pays for entertainment expenses only when they benefit the company and include customers and are promotional in nature. The most senior company employee present pays and reports all expenses.

Technical and Training Seminars

The company pays for expenses associated with attendance at classes and seminars that enhance job-related skills. Prior approval must be obtained by the employee's supervisor and appropriate management.

Gifts

Employees may present gifts only under exceptional circumstances and with prior approval of the appropriate company officer. The company does not reimburse cost over \$25.00 for business gifts.

Other Expenses

The company will pay for postage and telephone expenses that are for business.

Travel

For most employees and travel assignments, the company pays amounts incurred for approved expenses (refer to Travel Expense Policy).

Employee Reporting:

Employees report their approved expenses on the standard Expense Report Form and must describe the expense, its business purpose, date, place, and the participants.

4.14 USE OF COMPANY CREDIT CARDS

Every employee in the possession of a company issued credit card will adhere to the strictest guidelines of responsibility for the proper protection and use of that card.

Lost or stolen company issued cards must be reported immediately to your supervisor. Failure to follow this policy may result in disciplinary action up to and including termination.

4.15 MEALS AND REST BREAKS

Your supervisor will let you know when you should take your breaks. Breaks are an opportunity to rest and eat during the workday, and are scheduled in accordance with applicable state laws. Employees must take their breaks, as scheduled, unless they make other arrangements with their supervisor. For example, employees may not decide to skip breaks in order to leave early or come in late without approval of their supervisor.

Talk to your supervisor to find out if there are any rules for scheduling meal and rest breaks in your department.

5.0 PERFORMANCE, DISCIPLINE, AND TERMINATION

5.1 PERFORMANCE IMPROVEMENT

Pate Trucking Company, LLC will try to periodically review your work performance. The performance improvement process will take place on an annual basis, or as business needs dictate. You may request your supervisor assist you in developing a performance improvement plan at any time.

The performance improvement process is a means for increasing the quality and value of your work performance. Your initiative, effort, attitude, job knowledge, and other factors will be addressed. You must understand that a positive job performance review does not guarantee a pay raise or continued employment, company pay raises and promotions are based on numerous factors, only one of which is job performance. When considering your performance think about answering the following questions:

- What is the company's purpose?
- What are the three most important things this company does?
- What is the company doing well and what can it do even better?
- Who are our most important customers and clients?
- What are their greatest needs?
- What are the most important needs you are addressing?
- How can we provide our customers and clients with greater quality, lesser cost or something completely different?
- What are the three most important functions you perform?
- What are you doing well and what can you do even better?
- Who do you depend on?
- Who depends on you?
- What do you want or need to help you do your job better?
- What are your plans for career growth?
- How can you be a more effective supervisor, supervisor or leader?

5.2 PROMOTIONS

It is the company's policy to promote from within the company only when the most qualified candidate is available. Promotions are made on an equal opportunity basis according to the results

of performance assessment, and an analysis of the education, experience, knowledge, personality and skills required for the available position.

5.3 PAY RAISES

Depending on the company's financial health, and numerous other factors, efforts will be made to give pay raises consistent with the company's profitability, job performance, and the consumer price index. Pate Trucking Company, LLC may also make individual pay raises based on merit or due to a change of a job position.

5.4 TRANSFER

Pate Trucking Company, LLC may transfer your employment from one position to another with or without notice, as required by production or service needs or upon special request by an employee. Transfers over 90 days may be permanent and your rate of pay may be increased or decreased consistent with the pay scale for your new position.

5.5 STANDARDS OF CONDUCT

Pate Trucking Company, LLC wishes to create a work environment that promotes job satisfaction, respect, responsibility, integrity and value for all of our employees, clients, customers and other stakeholders. Every employee has a shared responsibility toward improving the quality of our work environment. By working at this company, you agree to follow the company's rules.

The prohibited conduct listed below is not an all-inclusive list. This policy is not intended to limit the company's right to discipline or discharge employees for any reason permitted by law. While we value our employees, the company retains the right to terminate an employee on an "at-will" basis.

Examples of inappropriate conduct include:

- Violation of the policies and procedures in this handbook.
- Possessing, using, distributing, selling, negotiating the sale of, drugs or other controlled substances or being under the influence of alcohol, during working hours, on company property (including company vehicles), in company uniform, or on company business.
- Inaccurate reporting of the hours worked by you or any other employee.
- Providing inaccurate, incomplete or misleading information in interviews or preparing any employment related document including, but not limited to, job applications, personnel files, employment review documents, intra-company communication, communications with those outside the company, or expense records.
- Taking or destroying of company property or that of visitors, clients or fellow employees.
- Possession or custody of potentially hazardous or dangerous property, where not permitted such as firearms, weapons, chemicals, etc., without prior authorization.

- Fighting with, or harassment of, any fellow employee, vendor or customer.
- Unauthorized or excessive use of company property, or the property of any visitor, customer, fellow employee. This includes but is not limited to, vehicles, supplies, telephones, mail and computers.
- Disclosure of company trade secrets or proprietary information of the company, its customers or fellow employees.
- Refusal or failure to follow directions or to perform a requested or required job task.
- Refusal or failure to follow safety rules and procedures.
- Excessive tardiness or absences.
- Smoking in non-designated areas.
- Working unauthorized overtime.
- Solicitation of fellow employees on the company premises during working time.
- Failure to dress appropriately.
- Use of obscene or otherwise inappropriate language or conduct in the work place.
- Failure to provide timely medical authorizations for medical absences longer than two days.
- Inappropriate horseplay that is distracting to fellow employees or creates a danger to others.
- Criminal activity at or outside of the work place.
- Outside employment which interferes with your ability to perform your job at this company.
- Gambling on company premises.
- Sleeping on the job or neglect of job duty.
- Taking unauthorized gratuities for company business.
- Lending keys to company property to unauthorized persons or allowing duplicate keys to be made without prior authorization.
- Being absent from the work area without prior authorization.
- Harassment of, or discrimination against, an employee, customer or visitor because of that person's race, religion, color, sex, age, sexual preference, disability or national origin.
- Bad-mouthing or spreading rumors about others.

Nothing in this policy is intended to negate the employee's rights under the National Labor Relations Act.

5.6 CRIMINAL ACTIVITY; ARRESTS

Involvement in criminal activity, whether on or off company property, may cause disciplinary action including suspension or termination. Disciplinary action depends upon a review of all factors involved, including whether the employee's action was work-related, the nature of the act, or circumstances, which adversely affect attendance or performance. Any disciplinary action is not dependent upon the disposition of any case in court.

Employees are expected to be on the job, ready to work, when scheduled. Inability to report to work as scheduled because of an arrest may lead to disciplinary action, up to and including termination, for violation of the attendance policy or job abandonment.

Any disciplinary action taken will be based on information reasonably available. This information may come from witnesses, police, or any other source if management has reason to view the source as credible.

5.7 PROBLEM SOLVING PROCEDURE

We strive to provide a comfortable, productive, legal and ethical work environment. The company wants you to bring any problems, concerns or grievances about the work place to the attention of your supervisor and, if necessary, to upper level management. To help manage conflict resolution we have instituted the following problem solving procedure:

If you believe there is inappropriate conduct or activity by the company, management, its employees, vendors, customers, or any other persons or entities related to the company, immediately bring this to the attention of your supervisor. Please try to approach your supervisor at a time and place that will allow the supervisor to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your immediate supervisor. If you have discussed this matter with your supervisor before and do not believe you have received a sufficient response, or if you believe your supervisor is the source of the problem, we request you present your concerns to Human Resources. Please indicate what the problem is, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have.

It is the purpose of this problem solving procedure to help maintain a work environment with respect and responsibility towards each other.

5.8 OUTSIDE EMPLOYMENT (MOONLIGHTING)

Outside employment which creates a conflict of interest or which affects the quality or value of your work performance or availability at the company is prohibited. All employees who have outside employment must inform their supervisor as to the name of the company, hours of employment and job description. Failure to make this disclosure at the time of your application for employment, or thereafter, no matter when discovered, may result in disciplinary action by the company, including termination.

5.9 WAIVER OF BREACH

The waiver by the company of any violation of any term or condition set forth in this employee handbook shall not operate as a waiver of any subsequent violation. No waiver shall excuse compliance with the provisions of the employee handbook unless placed in writing and signed by an officer of the company.

5.10 EXIT INTERVIEW

You may be asked to participate in an exit interview when you leave the company. The exit interview provides management with greater insight into employee relations and to avoid unnecessary employee claims. Your cooperation in the exit interview process will be greatly appreciated.

5.11 POST-EMPLOYMENT REFERENCE POLICY

Our company may provide prospective employers with references only for employees who have worked for the company within the past three years.

We may provide prospective employers with the dates of employment and final job position of a former employee. All references are to be given by Human Resources only.

If the former employee is requested to provide a prospective employer with additional information by way of reference, the employee must sign a form that holds the company and the prospective employer harmless from any claims related to any information provided in response to that reference. Please contact Human Resources for the release form.

6.0 GENERAL POLICIES

6.1 COMPANY MEETINGS

Pate Trucking Company, LLC encourages your participation in regular company meetings. Since our employees live over a wide area and many have different work schedules, these meetings are very important for maintaining a high level of communication, where valuable information about the company is shared. You are responsible for managing your schedule so you can attend all requested meetings.

6.2 DRIVING RECORD

All employees required to operate a motor vehicle, as part of their employment duties must maintain a valid driver's license and acceptable driving record. The company may run a Motor Vehicle Record (MVR) to determine an employee's driving record. It is your responsibility to provide a copy of your current driver's license for your personnel file. Any changes in your driving record, including, but not limited to, driving infractions, must be reported to the company.

State law requires all motorists to carry Auto Liability Insurance. It is against the law to drive without insurance. Each employee who uses their own vehicle as a part of their employment duties must provide management with a current proof of insurance statement or card. A new proof of insurance is required every time your policy expires and renews.

6.3 USE OF COMPANY VEHICLES

The following regulations covering the operation of company vehicles are of a general nature. Company vehicles are to be used for company business only. Unless the vehicle has been approved for personal use, in writing, by the CEO of the company, personal or outside business use is strictly prohibited.

1. No person shall operate a motor vehicle while under the influence of alcohol or a chemical substance or other substance that can impair judgment.
2. Drivers of company vehicles must report all infractions or violations while driving a company vehicle and all restrictions, suspensions or revocations against their driver's license to their supervisor or Human Resources immediately.
3. Before operating a company vehicle the driver shall satisfy himself/herself that the following are in good working order:
 - Brakes
 - Parking brake
 - Steering
 - Lights/signals
 - Tires

- Horn
 - Wipers
 - Mirrors
4. When a company vehicle cannot be operated, is unsafe for use, or has been damaged a supervisor must be notified immediately.
 5. Drivers should operate vehicles carefully and keep them under control at all times and engage in defensive driving. Drivers must observe all local traffic ordinances, give proper warning signals and always be courteous toward other drivers and pedestrians.
 6. The driver of a company vehicle is responsible for it while in his/her charge and will not permit unauthorized persons to drive it.
 7. The driver or operator of a company vehicle receiving a summons for traffic or parking violations must inform his/her supervisor as soon as possible after the incident.
 8. Drivers must turn on the vehicle headlights whenever windshield wipers are used due to rain, sleet, hail, fog or other unfavorable weather conditions.
 9. Drivers must use seat/safety belts and all passengers must use seat/safety belts.
 10. The driver is responsible for the daily housekeeping of the vehicle; it is to be kept clean and uncluttered. Vehicles are to be kept neat and tidy at all times inclusive of both the interior and the exterior. Vehicles should be washed at least twice a month and the cost shall be reimbursed under the existing company policy.
 11. No person shall operate a motor vehicle while under the influence of alcohol or a chemical substance or other substance that can impair judgment. If an employee who drives a company vehicle or drives a personal vehicle on business receives a DUI/DWI (Driving Under the Influence) on business or personal time, that employee may not drive a company vehicle or drive his/her personal vehicle on company business for three (3) years. A DUI/DWI may cause termination if driving a company vehicle is required to perform job responsibilities. Termination is also possible for an employee who must drive a personal vehicle for business as part of their job, if alternative transportation, made at the employee's expense, cannot meet the requirements of that position.
 12. Multiple driving moving violations that appear on the annual DMV check will cause suspension of rights to drive a company vehicle or drive a personal vehicle on company business. Suspension of rights will continue until one (1) year has passed with no infractions. During the time of suspension, alternative arrangements to continue job responsibilities without a company vehicle must be made by the employee at his/her expense. If there are persistent and ongoing problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, termination is possible.

Return of Company Property:

When your employment with Pate Trucking Company, LLC ends, we expect you to return company property – and to return it clean and in good repair. This includes all manuals and guides, documents, phones, computers, equipment, keys, tools, vehicle(s), uniforms and PPE.

UNLESS PROHIBITED BY APPLICABLE STATE AND FEDERAL LAWS, IF YOU DO NOT RETURN A PIECE OF PROPERTY, YOU HEREBY PROVIDE WRITTEN AUTHORIZATION FOR THE COMPANY TO DEDUCT FROM YOUR FINAL PAYCHECK THE COST OF REPLACING THAT PIECE OF PROPERTY. UNLESS PROHIBITED BY APPLICABLE STATE AND FEDERAL LAWS, IF YOU RETURN A PIECE OF PROPERTY IN DISREPAIR, YOU HEREBY AUTHORIZE THE COMPANY TO DEDUCT FROM YOUR FINAL PAYCHECK THE COST OF REPAIR.

WE ALSO RESERVE THE RIGHT TO TAKE ANY OTHER LAWFUL ACTION NECESSARY TO RECOVER OR PROTECT OUR PROPERTY.

6.4 NOTICE OF GPS MONITORING POLICY OF COMMERCIAL VEHICLES

Our company desires to strike the appropriate balance between today's technologies, an employee's desire to communicate and for privacy, and the company's interests in protecting its vehicles, equipment and drivers. Due to safety, efficiency and other business purposes, Pate Trucking Company, LLC GPS technology to monitor the whereabouts of their commercial vehicles. Since drivers may not use the vehicles for personal use, there should be no legitimate privacy concerns about monitoring the whereabouts of the vehicles.

Questions concerning the system should be directed to Human Resources. Questions concerning the proper use of any vehicles should be directed to the employee's immediate supervisor and/or the safety officer.

Any employee who abuses the privilege of driving company vehicles will be subject to corrective action, up to and including termination. The company will also advise law enforcement officials of any illegal conduct.

6.5 REPORTING UNETHICAL, FRAUDULENT OR ILLEGAL ACTIVITY

Pate Trucking Company, LLC strives to operate according to the highest ethical and legal standards possible. Therefore, we not only request, but require, that you bring to the attention of management any conduct by fellow employees, supervisors, or others, that you believe violates the policies, agreements, ethical standards or obligations of the company, or which are unethical, fraudulent or illegal. Failure to report any such activity not only constitutes a violation of Company Rules of Conduct but may also needlessly expose the company to litigation or governmental sanction including possible criminal prosecution.

If you believe you have encountered unethical, fraudulent or illegal conduct, you are required to immediately report it to your supervisor or someone else in management. If you believe your supervisor is engaged in inappropriate conduct, or has not sufficiently addressed your concerns, bring the matter to the attention of the next level of supervision or Human Resources.

Examples of unethical, fraudulent or illegal acts include:

- Falsification of loan, credit, accounting records or management information
- Theft or misuse of employee, company or customer property
- Violation of any federal, state or local laws
- Offer or acceptance of money or gifts from a customer or vendor in violation of company guidelines
- Violation of the company Code of Ethics, policies or procedures

6.6 PERSONNEL AND MEDICAL RECORDS

The company maintains a personnel and medical file for every employee. Medical records will be kept in a separate folder. Every effort will be made to keep your personnel and medical records confidential. Access is on a "need-to-know" basis only. This includes, but is not limited to supervisors and others in management reviewing the file for possible promotion, transfer or layoff.

6.7 EMPLOYEE PRIVACY AND RIGHT TO INSPECT

Company property, including but not limited to, lockers, phone, computer, tablet, iPad, desks, work place areas, vehicles, machinery, remains under the control of the company and is subject to inspection at any time, without notice to the employee, and without the employee's presence. Employees should have no expectation of privacy in these areas. We assume no responsibility for the loss of, or damage to, any employee property maintained on company premises including desks.

6.8 VOICEMAIL, EMAIL AND INTERNET POLICY

Purpose

This Voicemail/E-mail/Internet policy provides each employee of the company with the guidelines associated with the company's Voicemail/E-mail/Internet system ("the system").

Scope

This policy applies to all employees, contractors, vendors, partners, or associates, and any others accessing and/or using the company's system through on-site or remote terminals.

General Provisions

- The Voicemail/E-mail/Internet system, and all data transmitted or received through the system, are the exclusive property of the company. No individual should have any expectation of privacy in any communication over this system. The system is to be used solely for company-related business, and is not to be used for personal business or pleasure.
- Any individual permitted to have access to the company's system will be given a Voicemail, E-mail and/or Internet address and/or access code, and will have use of the system, consistent with this policy. Access to the Internet will be on an individual, case-by-case basis. A written

request for access, approved by the employee's supervisor, must be submitted to the IT Department and must detail the specific reasons why access to the Internet is required.

- The company reserves the right to monitor, intercept and/or review all data transmitted, received or downloaded over the system. Any individual given access to the system is given notice that the company will exercise this right periodically, without prior notice and without the prior consent of the employee. The company's interests in monitoring and intercepting data include, but are not limited to: protection of company proprietary and classified data; managing the use of the company's computer system; preventing the transmission or receipt of inappropriate materials by employees; and/or assisting the employee in the management of electronic data during periods of absence. No individual should interpret the use of password protection as creating a right or expectation of privacy. To protect everyone involved, no one can have a right or expectation of privacy regarding the receipt, transmission or storage of data on the company Voicemail/E-mail/Internet system.

Any employee who abuses the privilege of access to the company's Voicemail, E-mail or the Internet system will be subject to corrective action, up to and including termination. The company will also advise law enforcement officials of any illegal conduct.

6.9 SOCIAL MEDIA POLICY

At Pate Trucking Company, LLC, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and responsibilities. To assist you in making responsible decisions about using social media, we have established these guidelines for appropriate use of social media.

This policy applies to all employees who work for Pate Trucking Company, LLC, or one of its subsidiary companies in the United States (Pate Trucking Company, LLC). Managers and supervisors should use the supplemental Social Media Management Guidelines for additional guidance in administering the policy.

Guidelines

In the rapidly expanding world of electronic communication, *social media* can mean many things. *Social media* includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Pate Trucking Company, LLC, and any other form of electronic communication.

The same principles and guidelines found in Pate Trucking Company, LLC policies and three basic beliefs apply to your activities online. (1) Ultimately, you are solely responsible for what you post online. (2) Before creating online content, consider some of the risks and rewards that are involved. (3) Remember, conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work for

Pate Trucking Company, LLC or the Pate Trucking Company, LLC legitimate business interests may result in disciplinary action up to and including termination.

Know and follow the rules

Carefully read these guidelines, the Pate Trucking Company, LLC Statement of Ethics Policy, the Pate Trucking Company, LLC Information Policy and the Discrimination & Harassment Prevention Policy, and ensure your postings follow these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be respectful

Always be fair and courteous to fellow employees, customers, members, suppliers or people who work for the company. Also, remember that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. If you post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or company policy.

Be honest and accurate

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered.

Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Post no information or rumors you know to be false about the company, fellow employees, members, customers, suppliers, people working for Pate Trucking Company, LLC or competitors.

Post only appropriate and respectful content

- Maintain the confidentiality of the company's trade secrets and private or confidential information. Trade secrets may include information regarding developing systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a "tip" on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- Do not create a link from your blog, website or other social networking site to the company's website without identifying yourself as a Pate Trucking Company, LLC employee.

- Express only your personal opinions. Never represent yourself as a spokesperson for Pate Trucking Company, LLC. If the company is a subject of the content you are creating, be clear and open about the fact you are an employee and make it clear your views do not represent those of Pate Trucking Company, LLC, fellow employees, members, customers, suppliers or people working for Pate Trucking Company, LLC . If you publish a blog or post online related to the work you do or subjects associated with Pate Trucking Company, LLC, make it clear you are not speaking for the company. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of Pate Trucking Company, LLC.”

Using social media at work

Do not use social media while on work time or on equipment we provide, unless it is work-related as authorized by your supervisor or consistent with the company Equipment Policy.

Do not use company email addresses to register on social networks, blogs or other online tools utilized for personal use.

Retaliation is prohibited

Pate Trucking Company, LLC prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Be Cautious

Develop a healthy suspicion. Let no one trick you into disclosing confidential information. Be suspicious if asked to ignore identification procedures.

Media contacts

Employees should not speak to the media on the company’s behalf without contacting the Human Resources Department. All media inquiries should be directed to them.

For more information

If you have questions or need further guidance, please contact Human Resources.

6.10 EMPLOYEE SUGGESTIONS

We welcome suggestions for continued improvement! If you know of a better way to do your job, produce or sell the products or services of our company, or meet customer and client needs, we encourage you to discuss this with your supervisor or to use an employee suggestion form. If you have a suggestion we agree will benefit the company, we will give you recognition and possibly a

gift or financial bonus. Any gift or financial bonus provided is at the sole discretion of management and as recognition of any benefit or added value your suggestion provides the company.

You are encouraged to remain educated about the company's internal operating procedures, products and services, customers and clients, and our industry and markets. Please bring to our attention any suggestions derived from seminars, magazines or other outside sources of information you believe would add value to the company.

Understand that any suggestions, innovations, inventions, or other matter created by you on work time or with company tools or property are "works for hire" and are, therefore, the property of the company.

6.11 COMPANY BULLETIN BOARDS

Pate Trucking Company, LLC maintains an official bulletin board located conspicuously in the workplace to provide employees with its official notices, including wage and hour laws, changes in policies, and the like. The company may also post information of general interest to the employees on the bulletin board. Please keep informed about this material by periodically reviewing the company bulletin board.

6.12 NON-SOLICITATION POLICY

To avoid disruption of business operations or disturbance of employees, visitors, and others, the company has implemented this Non-solicitation Policy (the "Non-solicitation policy"). For purposes of the Non-solicitation Policy, "Solicitation" (or "Soliciting") shall include, canvassing, soliciting or seeking to obtain membership in or support for any organization, requesting contributions, and posting or distributing handbills, pamphlets, petitions, and the like of any kind ("Materials") on company property or using company resources (including without limitation bulletin boards, computers, mail, e-mail and telecommunication systems, photocopiers and telephone lists and databases). "Commercial Solicitation" means peddling or otherwise selling, purchasing or offering goods and services for sale or purchase, distributing advertising materials, circulars or product samples, or engaging in any other conduct relating to any outside business interests or for profit or personal economic benefit on company property or using company resources. Solicitation and Commercial Solicitation performed through verbal, written, or electronic means are covered by the Non-solicitation Policy.

Employees are also prohibited from soliciting other employees for any cause during their assigned working time. For this purpose, working time means time during which either the soliciting employees or the employees who are the object of the solicitation are expected to be engaged in with assigned work. Notwithstanding the foregoing, employees may conduct solicitations during their lunch period, coffee breaks, or other authorized non-work periods, so long as they do so when the other employees are on their lunch or break periods. Employees may not solicit an employee who requests not to be solicited, even if on a break period.

6.13 PERSONAL APPEARANCE

Your personal appearance reflects on the reputation and integrity of the company. All employees must report to work neatly groomed and dressed. You are expected to maintain personal hygiene

habits that are generally accepted in the community i.e. clean clothing, good grooming and personal hygiene, and appropriate social behavior.

All employees must wear suitable attire during all work hours. Please consult with your supervisor as to company policy regarding fitting, cleaning, and repair of company uniforms.

All employees must wear the suitable safety equipment while on the job. Please refer to the separate Safety Manual for further details.

Management and outside sales persons are expected to dress in a manner appropriate for their job duties.

If you come to work inappropriately dressed, you will be asked to go home and return to work dressed appropriately. Recurring problems will cause discipline up to and including termination.

6.14 PAYROLL ADVANCES AND LOANS

Pate Trucking Company, LLC discourages employee requests for payroll advances or loans.

6.15 TELEPHONE USE

Our phones are principally for work related communications. Unless there is an emergency, employees must limit long distance telephone calls to business purposes only. Employees should limit personal use of the telephone to brief communications during rest periods where possible. Casual conversation with friends and relatives during working hours is strongly discouraged. Telephone use is subject to the Voicemail/E-Mail/Internet Usage Policy.

6.16 COMPANY-PROVIDED CELL PHONE/MOBILE DEVICE POLICY

Purpose:

To provide guidance to departments and employees regarding eligibility for company-provided cell phone and plan, and the appropriate use of the phone and plan.

Policy:

Eligibility

An employee must have a legitimate business need for a cell phone/mobile device and issuing same to the employee must be approved by the employee's supervisor. The employee's signature on the handbook acknowledgment evidences that the employee has read and understands this policy.

There are several legitimate reasons why an employee may need a cell phone/mobile device, such as: the employee travels frequently, the employee is frequently out of the office, or the employee is a member of key personnel needed in the event of an emergency.

Personal Use:

A company provided cell phone/mobile device are to be used for official business only. However, incidental personal communications will sometimes be necessary.

When the cell phone/mobile device is used for personal reasons and if the activity results in additional cost to the company, the individual is responsible for the cost of that usage, including all taxes. The employee should make note of personal calls and reimburse the company after review of the monthly call detail.

If the cell phone/mobile device has a flat rate airtime/data plan, the user reimburses the company when personal activities cause the plan threshold to be exceeded. The employee, with concurrence of an authorized signer on the account, should determine the personal use that caused the usage to exceed the plan and reimburse System Administration for that amount plus all taxes. Except in emergencies, personal use should not exceed 10% of the total airtime.

Use While Driving:

Employees who drive a vehicle during their employment may not use any cell phone/mobile device or other communication device while driving unless the device is equipped or configured with a “hands-free” listening/speaking option, and the “hands-free” device is utilized by the employee. This option must be approved by your supervisor.

Company Access:

The company owns and remains entitled to all cell phone/mobile device, including all passwords controlling access to them. You may not change those passwords except with permissions. At the time of termination all such equipment and passwords must be returned to the company in operable condition.

6.17 PERSONAL CELL PHONE/MOBILE DEVICE USE

Fact is, personal cell phone use at work is distracting and may also lead to injuries while at work or on the road. This policy sets forth basic usage guidelines. Please contact Human Resources if you have any questions.

Use of Cell Phones/Mobile Devices While at the Office

Besides telephone service, many cell phones or cellular providers offer a host of additional functions and/or services, including text messaging and digital photography. It is not possible to list all of the services that are now—or may become—available. Whether enumerated or not, employees are discouraged from using these services while at work in an excessive manner.

While Operating a Vehicle on Company Time

This is an unnecessary risk we will not tolerate. Therefore, it is a condition of operating *any* vehicle on company time that the driver's personal cell phone/mobile not be used. If you need to make or receive a phone call then pull off the road to a safe location. The only exceptions to this rule are with workers with the correct hands-free equipment for their device in compliance with applicable state laws. Hands-free operation does not guarantee 100% safety but will provide remote workers

with less distraction if they must use their mobile devices on the road. To take advantage of this exception you must have written approval from Human Resources. Under no circumstances is texting while operating a company vehicle or a personal vehicle being driven on company business allowed.

Including any passengers in this requirement may also be appropriate under unique circumstances, as another person using a cell phone could cause the driver to become distracted and focus more on the cell phone discussion and less on their driving.

Discipline

Violation of this policy will subject an employee to disciplinary action up to and including immediate termination.

6.18 MAIL USE

Employees must limit usage of the mail to business purposes only. You may not use the company address to receive personal mail. Do not use the company postage meter for your personal mail. If you notice any suspicious packages or envelopes, please report this to Human Resources immediately.

6.19 OFF-DUTY USE OF COMPANY PROPERTY OR PREMISES

Employees may not use company property for personal use, or company property for company use while off premises, without prior approval from their supervisor. Employees are responsible for returning company property in good condition and are responsible for repairing or replacing any property damaged as the result of personal use or as the result of negligence. All employees should complete a written authorization pass for removal of company property from the premises. This authorization will be retained by your supervisor.

It is the policy of the company to control off duty and non-working hour use of company facilities either for business or personal reasons. Employees are prohibited from use of company facilities during off duty or non-working hours without the written consent of their supervisor. Employees using company facilities during off duty hours or non-company hours may be required to sign a log-in and log-out sheet maintained by the company or building supervisor.

You may not use copy machines, computers, company products, or office supplies for personal use without prior authorization.

6.20 SECURITY

Every employee is responsible for helping to make this a secure work environment. Upon leaving work you must lock all desks, lockers, and doors protecting valuable or sensitive material in your work area. You must report any lost or stolen keys, passes, or other similar devices to your supervisor immediately. Refrain from discussing with non-employees specifics regarding company security systems, alarms, passwords, etc.

We also request you immediately advise your supervisor of any suspicious conduct of employees, customers or guests of the company. Please immediately advise the company of any known security risks such as broken locks, burnt out bulbs, persons loitering, or any other potential security risks in the work environment.

We will not tolerate unauthorized use, the misappropriation, or the destruction of company property. Such conduct will cause disciplinary action, up to and including termination and may also result in criminal prosecution. We reserve the right to inspect all packages entering or leaving company premises.

6.21 THIRD PARTY DISCLOSURES

From time to time, our company may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not discuss the matter with the caller.

6.22 PERSONAL DATA CHANGES

It is the obligation of every employee to provide the company with their current mailing address and telephone number. Employees must also inform the company of any changes to their marital or tax withholding status.

7.0 BENEFITS

7.1 REGULAR FULL-TIME EMPLOYEES

A regular full-time employee is an employee who is regularly scheduled to work the minimum hours for an employee to receive health insurance under Federal Law. Unless stated otherwise, all the benefits provided to employees are for regular full-time employees only. This includes PTO, holiday pay, health insurance and other benefits coverage.

7.2 REGULAR PART-TIME EMPLOYEES

Any employee who works less than the minimum hours required by Federal Law to receive health insurance is considered a part-time employee. Part-time employees are not eligible for any company benefits unless specified otherwise in this handbook or in the benefit plan summaries.

7.3 TEMPORARY EMPLOYEES

Temporary employees are hired for a specific period or specific work project, not to exceed three months in duration. The company reserves the right to extend the duration of temporary employment where necessary. Temporary employees are not eligible for employee benefits unless specified otherwise in this handbook or in the benefit plan summaries.

7.4 EXEMPT EMPLOYEES

If you are classified as an exempt employee at the time of your hiring you are not eligible for overtime pay, as otherwise required by Federal, State or local laws. If you have a question regarding whether you are an exempt or non-exempt employee, please do not hesitate to contact your supervisor for clarification.

7.5 NON-EXEMPT EMPLOYEES

A regular full-time employee is an employee who has completed his or her introductory period and is regularly scheduled to work 40 hours per week. Unless stated otherwise, all the benefits provided to employees are for regular full-time employees only. This includes vacation, holiday pay, health insurance and other benefits coverage.

7.6 HEALTH INSURANCE

The company offers health insurance to its regular full-time employees who have completed 60 consecutive calendar days of full-time employment. Employees also have the option of dependent coverage at their own expense. Medical plan benefits for eligible employees and their dependents are described in the Summary Plan Description available to all eligible employees.

Health benefits during an approved Leave of Absence are maintained by the company on the same terms as if the employee continued to work. Please contact Human Resources for further clarification. In such circumstances, arrangements must be made by the employee to pay their share of the health insurance premium monthly to maintain insurance coverage. Please contact Human Resources to determine your contribution. All payments are to be remitted before the first

of the month and in advance of that month's coverage. The company's obligation to maintain health benefits stops when:

- An employee informs the company of an intent not to return to work at the end of the leave period or
- An employee fails to return to work when the FMLA entitlement is exhausted or
- An employee's premium contribution is past due.

The company will be entitled to recover premiums it paid to maintain health insurance coverage for an employee who fails to return to work from leave.

Plan eligibility does not necessarily mean coverage for all medical treatments or procedures. Under changed circumstances you may be responsible for contributing to the cost of increased premiums. This benefit, and other benefits, may be canceled or changed at the discretion of the company, unless otherwise required by law.

If you leave employment you may have the right to continue your medical benefits under the Federal Statute known as COBRA. The company will mail to you information about your COBRA rights, after you leave employment, to your last known address.

7.7 LIFE INSURANCE

All regular full-time employees who have completed 60 consecutive calendar days of employment are provided with life insurance by the company. This insurance is payable in a lump sum or on an installment basis if your death occurs. You will be required to notify Human Resources of your intended beneficiary. This benefit, and other benefits, may be canceled or changed at the discretion of the company, unless otherwise required by law. For more information about your Life Insurance, please refer to the Summary Plan Description.

7.8 401K PLAN

All regular full-time employees who have completed at least ninety (90 days) of consecutive employment are eligible to participate in the company's 401K plan. Pate Trucking Company, LLC provides matching funds of 100% on the first 3% of employee dollar contributed and 50% on the next 2% up to a maximum company contribution of 4% per year. As with your insurance benefits, please refer to your Summary Plan Description provided by Human Resources. Should you have any other questions about pension or profit sharing rights, please consult with the Human Resources. This benefit, and other benefits, may be canceled or changed at the discretion of the company, unless otherwise required by law.

7.9 HOLIDAY PAY

Pate Trucking Company, LLC recognizes three holidays as listed below. Employees must work their scheduled shift before and after the holiday in order to receive Holiday Pay unless approved to be off from work. For any questions concerning the Holidays or Holiday Pay please contact your supervisor or Human Resources.

Pate Trucking Company, LLC offers the following paid holidays each year:

- Independence Day
- Thanksgiving Day
- Christmas Day

If a holiday falls on your regular day off, the holiday will be observed as your supervisor determines, on the employee's last day of work before the holiday or the first day of work following the holiday.

The company reserves the right to close on another day or grant compensating time off instead of closing its offices. You must work the day before and the day after a holiday to receive holiday pay, unless the day before or the day after is your normally designated day off, you are on vacation, or you have a doctor's note excusing your absence.

An employee must have satisfactorily completed the introductory period to be eligible for holiday pay. Holiday pay for full-time employees is computed at the straight time rate of eight hours. In no case may an employee receive more than a normal day's wage for any holiday unless they worked that day.

7.10 VACATION & SICK PAY POLICY

Definitions:

Vacation Pay can be used for time off from work for personal reasons.

Sick Pay can be used in the event an employee is not able to work due to their own personal illness or that of a personal family member or bereavement

Drivers: Employees that drive company trucks and are paid using Ticket Time versus actual time worked.

Non-Drivers: Employees that do not drive company trucks and are paid their actual time worked and are not paid using Ticket Time.

Vacation Pay:

All full-time employees are eligible for Vacation Pay. The amount of Vacation Pay granted will be determined using the employee's most recent hire date. On an employee's one year anniversary they will be eligible for 40 hours of Vacation Pay and on their second anniversary and each anniversary thereafter they will be eligible for 80 hours. Vacation Pay does not accrue and the employee must use all of their available hours prior to their anniversary date or they will forfeit any unused time.

Sick Pay:

Non-Drivers are eligible to accrue up to 6 days (48 hours) of Sick Pay per year. The accrual rate is .5 days or 4 hours per month and must be accrued prior to the employee being able to be paid for the time off. Employees must use all of their available hours prior to their anniversary date or they will forfeit any unused time. Management may request a doctor's note for any questionable absences due to an illness and has the right to approve or reject any request for Sick Pay.

Drivers are not eligible for Sick Pay.

All time off requests are subject to management's approval and employees cannot take off time from work during a two consecutive week period of time. Vacation and Sick Pay is not paid out at the end of employment and will not be paid during an employee's resignation notice period.

7.11 REQUESTING LEAVES OF ABSENCE

A leave of absence (LOA) is defined as an unpaid approved absence from work for a specified period of time for medical, parental, military or other approved reasons. If an employee finds he or she must be out of work for over three days, he or she should contact their supervisor to determine if a LOA may be necessary.

LOAs will start on the date of request or date of need. While on LOA, an employee must contact their supervisor at least every 30 days. Failure to periodically contact their supervisor may result in voluntary termination. Failure to return to work upon the expiration of LOA or refusing an offer of reinstatement for which the employee is qualified will also result in voluntary termination.

Required Documentation: All requests for a LOA must be made on a Leave of Absence Request form for the particular leave (FMLA, disability accommodation, military, pregnancy, other medical leave, personal leave, etc.) and submitted to Human Resources. These forms can be obtained from Human Resources. An employee must provide 30 days' advance notice when the need for the leave or absence is foreseeable; for instance, if medical treatments or other events are planned or known in advance. If the leave of absence is not foreseeable, the employee must provide notice to his or her immediate supervisor when practicable. Physician certifications and other documentation supporting the need for a LOA may be required.

Approval: Human Resources will review the request and will notify the employee whether the request was approved. A leave of absence will not be granted to allow an employee time off to seek employment elsewhere or to work for another employer. Employees who begin employment elsewhere while on LOA, except military reserve duty, are considered to have quit voluntarily.

Job Benefits: Pate Trucking Company, LLC will pay its portion of the cost of the employee's benefits including health, life and disability insurance benefits while an employee is on LOA. The employee must continue to pay his or her portion of the benefits which may be made by payroll deductions (when applicable) or by check which must be submitted to Human Resources each pay period unless other arrangements have been made. If the employee fails to pay his or her portion

of the benefits for over 30 days, the employee's coverage(s) and the coverage(s) of any applicable dependents will be terminated and continuation of benefits will be available under COBRA, excluding life and disability insurance.

While on LOA, employees may be required to use PTO.

No benefits will be accrued while an employee is on LOA. Except as otherwise provided by law, time spent on a leave of absence, except for military reserve duty, will not be counted as time employed in determining an employee's eligibility for benefits that accrue on the basis of length of employment.

Return to Work: Upon return to work, employee may be required to take a fitness for duty exam or otherwise provide medical clearance.

7.12 UNPAID LEAVE OF ABSENCE

Our employees may, for various reasons, need unpaid leaves of absence. These reasons include, but are not limited to, medical or family needs, pregnancy, bereavement leave, jury duty, continuing education, parent/teacher conferences, and the like. Unless the law or company policy states otherwise, unpaid leaves of absence are allowed at the company's discretion. The company may approve Unpaid Leaves of Absence in increments of up to thirty (30) days, and not to exceed a total of ninety (90) days over the course of a twelve (12) month period measured forward from the first day Unpaid Leave of Absence is taken.

Every effort should be made by the employee to give as much advance written notice as possible as to the length of the unpaid leave and the expected return-to-work date. Requests for leave for medical reasons or pregnancy must include a doctor's certificate indicating the beginning date and expected length of such leave. Updated certificates may be requested during the leave. Pate Trucking Company does not guarantee, upon return from leave, that the employee's job position will be available, except where required by law.

During an unpaid leave of absence, employees do not accrue company benefits including paid time off (PTO) or any other benefit. The employee will lose no seniority by taking an approved unpaid leave of absence. The employee will be responsible for paying his or her portion of the insurance premiums and that of his or her dependents for the duration of the leave. Failure to pay his or her portion of the benefits for over 30 days, may result in cancellation of coverage. Continuation of coverage will be available under COBRA, excluding life and disability insurance.

Failing to return from unpaid leave of absence as scheduled may result in termination.

7.13 ADA POLICY

Under Americans with Disabilities Act and related state laws and regulations; it is the company's policy to select, retain, and promote the best-qualified applicant for each available job. An applicant's or employee's disability will not remove the applicant from consideration or the current employee from his/her job if the applicant or employee is otherwise qualified and can perform the essential functions of the job with or without reasonable accommodation.

Qualified applicants or employees who inform the company they have a physical or mental disability, which is protected by the Americans with Disabilities Act or state law, will be given reasonable accommodation unless such accommodation will cause undue hardship. A reasonable accommodation is defined as any modification or adjustment to a job, employment practice or the work environment, which will make it possible for an individual with a disability to enjoy an equal employment opportunity.

Procedure for Reasonable Accommodation Requests:

- Employee advises supervisor or the company otherwise learn of the need for accommodation. Employee completes a Request for Accommodation form and gives it to his/her supervisor.
- Supervisors must submit a request for an accommodation to Human Resources for job applicants or current employees otherwise qualified but require an accommodation.
- If an appropriate accommodation is reasonably available, the request will be approved and the accommodation implemented.
- If an accommodation is not reasonably available, Human Resources may consult with disability specialists, agencies or support groups for further information until a reasonable accommodation is identified.

Human Resources and your supervisor will review the suggested accommodation for reasonableness. Remember, under disability law, employees must perform all essential job duties to company performance standards. If a requested accommodation is approved, Human resources will authorize the supervisor to implement the accommodation. If it is denied, you will be informed why.

7.14 FAMILY AND MEDICAL LEAVE OF ABSENCE POLICY

The company complies with the Family and Medical leave Act of 1993, as amended. The Department of Labor's "Employee Rights and Responsibilities Under the FMLA" is set forth below. If you have any questions about FMLA leave, please contact Human Resources.

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

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, parent, or in certain circumstances care for those in non-traditional family arrangements, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

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

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. 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 on the temporary disability retired list for a serious injury or illness*; or 2) a veteran discharged or released under the conditions other than dishonorable during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

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

Benefits and Protections: During FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan” on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The employee will be responsible for paying his or her portion of the insurance premiums and that of his or her dependents for the duration of the leave. Failure to pay his or her portion of the benefits for over 30 days, may result in cancellation of coverage. Continuation of coverage will be available under COBRA, excluding life and disability insurance. Reinstatement of coverage may be available upon return to work from FMLA.

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

Eligibility Requirements: Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

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 over 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

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

Substitution of Paid Leave for Unpaid Leave: Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. To use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

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

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

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

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

Unlawful Acts by Employers: FMLA makes it unlawful for any employer to:

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

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

FMLA affects no Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights.

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

7.15 LEAVE FOR VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING

A victim of domestic violence, sexual assault, or stalking may take time off from work to obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or his or her child.

As a condition of taking time off under this policy the employee shall give the company reasonable advance notice of the employee's intention to take time off, unless the advance notice is not feasible. When an unscheduled absence occurs, the company will take no action against the employee if the employee, within a reasonable time after the absence, provides a certification to the employer. Certification shall be sufficient in the form of any of the following:

- A police report indicating the employee was a victim of domestic violence, sexual assault, or stalking.
- A court order protecting or separating the employee from the perpetrator of an act of domestic violence, sexual assault, stalking, or other evidence from the court or prosecuting attorney that the employee has appeared in court.
- Documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider, or counselor that the employee was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence, sexual assault, or stalking.
- An employee may use PTO time.

To the extent allowed by law, the company shall maintain the confidentiality of any employee requesting leave under this policy.

The company shall grant to an employee the following paid leaves of absence to assist with organ or bone marrow donation:

- (1) A leave of absence not exceeding 30 days to an employee who is an organ donor in any one-year period, to donate his or her organ to another person. The leave is business days, not weekdays; the one year leave period begins on the first day of the employee's leave.
- (2) A leave of absence not exceeding five days to an employee who is a bone marrow donor in any one-year period, to donate his or her bone marrow to another person.
 - a) To receive a leave of absence under this policy an employee shall provide written verification to Human Resources that he or she is an organ or bone marrow donor and that there is a medical necessity for the donation of the organ or bone marrow.

- b) Any period of time during which an employee is required to be absent from his or her position by reason of being an organ or bone marrow donor will not be considered a break in his or her continuous service for the purpose of his or her right to salary adjustments, sick leave, vacation, annual leave, or seniority. During any period that an employee takes leave under this policy, the company will maintain and pay for coverage under any group health plan, for the full duration of the leave.
- c) The company may require as a condition of an employee's initial receipt of bone marrow or organ donation leave that the employee take up to five days of earned but unused sick or vacation leave for bone marrow donation and up to two weeks of earned but unused sick or vacation leave for organ donation.
- d) Notwithstanding existing law, bone marrow and organ donation leave shall not be taken concurrently with any leave taken pursuant to the federal Family and Medical Leave Act or the California Family Rights Act.
- e) Leave provided for pursuant to this section may be taken in one or more periods.
- f) Upon expiration of a leave authorized by this policy, the company will restore the employee to the position held by him or her when the leave began or to a position with equivalent seniority status, employee benefits, pay, and other terms and conditions of employment. The company may decline to restore an employee as required in this section because of conditions unrelated to the exercise of rights under this part by the employee.

This policy complies with SB 1304, otherwise known as the Michelle Maykin Memorial Donation Protection Act passed in 2010 and made effective January 2011.

7.16 JURY DUTY AND WITNESS LEAVE

If you are summonsed for jury duty, please make scheduling arrangements with your supervisor when you receive your summons or subpoena. You will receive up to 2 days per year for paid jury duty leave. You may use PTO pay during the unpaid jury leave.

7.17 VOTING LEAVE

If your work schedule prevents you from voting on Election Day, the company will allow you a reasonable time in which to vote. The time when you can vote will be at the discretion of your supervisor, consistent with applicable legal requirements.

7.18 WORKERS' COMPENSATION INSURANCE AND DISABILITY LEAVE

Workers' Compensation is a no-fault system designed to provide benefits to all employees for work related injuries. Workers' Compensation insurance coverage is paid for by the employer and governed by State law. The Workers' Compensation system provides for coverage of medical treatment and expenses, occupational disability leave, rehabilitation services, and payment for lost wages due to work related injuries. If you are injured on the job, no matter how slightly, you must report the incident immediately to your supervisor. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive Workers' Compensation benefits, immediately notify your supervisor of your claim. If your injury results from an on-the-job accident, you must fill out an accident report. The employee will be required to bring a medical release before he or she may return to work.

7.19 RETURN TO WORK PROGRAM

Pate Trucking Company, LLC utilizes a return-to-work program for injured workers deemed unable to perform the functions of their pre-injury job by a medical professional. The Return-To-Work Program applies to employees who were injured on the job, during the course and scope of their employment.

Pate Trucking Company, LLC has a Return-To-Work Program in place to accommodate injured workers by identifying new duties or modifying jobs to meet their physical capacities and respect doctors' restrictions. Our goal is to return our employees to productive work, regular schedule and full wages as soon as possible.

When the need for an accommodated duty position presents, the position will comply within the physical requirements from the physician and may be sought from outside sources such as charities and non-profits such as Goodwill and the Salvation Army until a full duty release is obtained.

7.20 UNEMPLOYMENT COMPENSATION INSURANCE

Unemployment compensation insurance is paid for by the company and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for unemployment compensation will, in part, be determined by the reasons for your separation from the company.

7.21 COBRA

COBRA, the Consolidated Omnibus Budget Reconciliation Act, provides the opportunity for employees and their beneficiaries to continue health insurance coverage under the company health plan when a "qualifying event" could cause the loss of eligibility. Qualifying events include resignation, termination of employment, death of an employee, reduction in hours, a leave of absence, divorce or legal separation, entitlement to Medicare, or where a dependent child no longer meets eligibility requirements.

Please contact Human Resources to learn more about your COBRA rights.

7.22 SOCIAL SECURITY

Pate Trucking Company, LLC makes a matching contribution to the Social Security fund on the employee's behalf. Pate Trucking Company, LLC contributes a dollar to the Social Security Fund for every dollar deducted from the employee's paycheck for payment to the fund. You may contact the Social Security office to determine your current social security account status.

8.0 SAFETY AND LOSS PREVENTION

8.1 GENERAL SAFETY POLICY

The President and management of Pate Trucking Company, LLC are committed to providing a safe and healthful work environment for all our employees and others that may work, visit, or enter our facilities. The management of Pate Trucking Company, LLC is very proud of our reputation for quality products and services. The safety of our employees, our most important resource, is one of the utmost priorities. To protect this resource we are committed to providing a safe and healthful environment for all. Following our safety policies is an absolute requirement. By providing an effective health and safety program, we can share the responsibility for our own safety and the safety of our coworkers.

It is our policy to manage and conduct operations and business in a manner that offers maximum protection to each and every employee and any other person that may be affected by our operations and business. It is our absolute conviction that we have the responsibility for providing a safe and healthful work environment for our people and all others that may be affected as we conduct our business.

We will make every effort to provide a working environment that is free from any recognized or potential hazard. We recognize that the success of a safety and health process is contingent and dependent upon support from the executive level management down to involvement of all employees of the company.

The management of this company is committed to allocating and providing all the resources needed to promote and effectively implement the safety and health process. This company will establish avenues to solicit and receive comments, information, and assistance from employees about safety and health. This company will comply with all federal, state, and local safety and health regulations.

Company management and designated supervisors will set an example of commitment to safety and health at this company. This policy applies to all employees and persons affected or associated in any way by the scope of this business.

Zane Mead, CEO

8.2 NON-SMOKING POLICY

Pate Trucking Company, LLC is concerned about the effect that smoking and second hand smoke inhalation can have on its employees and clients. You are prohibited from smoking in the office, client areas, and restrooms. Information on how to quit smoking can be obtained from the local cancer society.

8.3 DRUG AND ALCOHOL POLICY

The Company, Pate Trucking Company, LLC is a drug-free workplace. The purpose of this policy is to ensure the safety of all employees and to promote productivity. This policy applies to all employees, contractors, and temporary workers. Substances covered under this policy include alcohol, illegal drugs, inhalants, and prescription and over-the-counter drugs.

We reserve the right to inspect our premises for these substances. We reserve the right to conduct alcohol and drug tests at any time. We may terminate your employment if you violate this policy, refuse to be tested, or provide false information.

Definitions under this policy:

- A “substance” includes alcohol, illegal drugs, inhalants, and prescription and over-the-counter drugs.
- An “illegal drug” is any substance that is illegal to use, possess, sell, or transfer.
- “Drug paraphernalia” are any items used or intended for use in making, packaging, concealing, injecting, inhaling, or consuming illegal drugs or inhalants.
- A “prescription drug” is any substance prescribed for an individual by a licensed healthcare provider.
- An “inhalant” is any substance that produces mind-altering effects when inhaled.

You are “under the influence” if any substance:

- Impairs your behavior or your ability to work safely and productively;
- Results in a physical or mental condition that creates a risk to your own safety, the safety of others, or company property; or
- Is shown to be present in your body, by laboratory evidence, in more than an identifiable trace.

“Company premises” include our buildings, grounds, parking lots, and Company provided vehicles.

Company Rules

You must follow these rules while you are on company premises and while you conduct Company business. The rules apply any place you conduct company business, including a Company vehicle or your own vehicle:

1. You may not use, possess, or be under the influence of alcohol on Company premises.

If management approves, you may drink moderately at certain off-premises, business related meetings or social gatherings.

2. You may not use, possess, or be under the influence of illegal drugs.
 3. You may not sell, buy, transfer, or distribute any drugs. It is against the law to do so, and we will report such actions to the authorities.
 4. You may not use, possess, sell, buy, transfer, or distribute drug paraphernalia.
 5. You may not use or be under the influence of inhalants.
 6. You must follow these rules if you take prescription or over-the-counter drugs on the job.
- You may use a prescription drug only if a licensed health care provider prescribed it for you within the last year.
 - You may use prescription or over-the-counter drugs only if they do not generally affect your ability to work safely.
 - You must follow directions, including dosage limits and usage cautions.
 - You must keep these drugs in their original containers or bring only a single-day supply.
7. The Company may consult with a doctor to determine if a prescription or over-the counter drug may create a risk if you use it on the job. The Company may change your work duties or restrict you from working while you are using a prescription or over the-counter drug that creates such a risk.
 8. You may not use machinery while taking prescription or over-the-counter drugs that impair your ability to work safely. This includes vehicles.

You must cooperate with any investigation into substance abuse. An investigation may include tests to detect the use of alcohol, drugs, or inhalants. Testing may include urine, blood, or breathalyzer tests. Before testing, you will have the chance to explain the use of any drugs. We will follow laws for keeping test results confidential.

8.4 AUTHORITY AND ACCOUNTABILITY

The President of Pate Trucking Company, LLC accepts the responsibility of providing resources and guidance for the development and implementation of the safety and health process.

The President is responsible and will be held accountable for the overall implementation of the working process. The President has the authority to delegate any or all portions of the process to subordinates, but will be held responsible for the performance of the process. The President also has the authority to approve or carry out disciplinary actions against those that violate policies, procedures, or rules.

The President is responsible and will be held accountable to ensure that all employees under his control follow all safety and health policies, procedures, and rules established by the company. He

is also responsible for administering training and guidance to employees under his direction. The President has the authority to reprimand and recommend disciplinary actions against employees that violate the safety and health policies of the company.

Employees are responsible and will be held accountable for providing this company with a commitment to the safety and health process, abiding by the policies, procedures, rules set forth by the process, and becoming actively involved in the process to assist in providing a safe and healthful workplace for all involved.

Contractors that provide or perform services for this company, at any location, are responsible to ensure that all employee actions and services delivered are in a manner consistent with our commitment to safety and health. The Safety and Health Process manual will be made available to all contractors for review.

8.5 POLICY AGAINST VIOLENCE

The safety and security of our employees, residents, tenants, vendors, contractors and the general public are of essential importance. Therefore, threats or acts of violence made by an employee against another person's life, health, well-being, family or property will not be tolerated. The company prohibits the wearing, transporting, storage, or presence of firearms or other dangerous weapons in our facilities and equipment or on our property. A client or visitor who violates this policy may be removed from the property and reported to police authorities. Possession of a valid concealed weapons permit authorized by state law is not an exemption under this policy. Employees who violate this policy will be subject to discipline up to and including immediate termination.

Definitions:

- **Intimidation:** A physical or verbal act toward another person, the result of which causes that person to reasonably fear for his/her safety or the safety of others
- **Threat of Violence:** A physical or verbal act which threatens bodily harm to another person or damage to the property of another
- **Act of Violence:** A physical act, whether or not it causes actual bodily harm to another person or damage to the property of another

No person shall possess or have control of any firearm, deadly weapon, or prohibited knife, as legally defined, while on Company property, except as required in the lawful course of business or as authorized by law.

The following are prohibited:

1. Any act or threat of violence made by an employee against another person's life, health, well-being, family, or property.
2. Any act or threat of violence, which endangers the safety of employees, residents, tenants, vendors, contractors or the general public.

3. Any act or threat of violence made directly or indirectly by words, gestures, symbols or e-mail.
4. Use or possession of a firearm or weapon in our facilities and equipment or on our property or while on job duty.

It is a requirement that employees report to their supervisor or human resources, under this policy, any behavior that compromises the Company's ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know.

8.6 SAFETY AND HEALTH TRAINING

Pate Trucking Company, LLC is committed to providing safety and health related orientation and training to all employees at all levels of the company. Pate Trucking Company, LLC will develop, implement, and maintain an aggressive safety and health orientation and training program. The program's purpose is to educate and familiarize employees with safety and health procedures, rules, and work practices of the facility. The management of this organization will encourage and require involvement and participation of all managers, supervisors, and employees. Furthermore, the executive level will support the orientation and training program with allocations in funding, staff, resources, and time to develop and implement this program.

Training Program Development

The training subjects and materials are developed utilizing industry and site specific criteria relating to identified and potential hazards, accident and incident data, and training required by federal regulations. The orientation, and subsequent training sessions will include, but not be limited to, the following:

- The hazards associated with the work environment
- The hazards of the job or task assigned
- Emergency procedures
- Personal protective equipment
- Specific equipment operation training
- Employee reporting requirements
- Accident investigation (supervisor and other designated personnel)
- Any federally required training not included or addressed above

The training program shall be administered in two phases consisting of new employee or reassigned orientation and regular periodic training and refresher sessions. Aside from the formal safety and health related training classes, employees will receive guidance and instruction on safe operating procedures of each assigned job or task.

Orientation

The orientation training will be administered to all new employees prior to the initial work assignment and to employees assigned to new or different tasks or jobs. The orientation will consist of all required training programs as well as job and site specific safety and health information. All new employees will be given a tour of the facility and an opportunity to pose questions to expedite the familiarization process. New employees will not be released to an individual job assignment until it has been determined by the crew leader that the individual has retained the minimal acceptable elements of the training provided and pertinent information to safely perform the assigned duties.

Ongoing Training

All managers, supervisors, and employees are required to participate and become involved in the ongoing safety and health training program. The frequency, repetitiveness, and subject matter will be determined by training assessments and audits to be performed by the president and will be at intervals that ensure demonstration of adequate training. The assessments and audits will, for the most part, be informal questions and observations of employees and work areas. At some point, a more formal survey, such as written examination, may be required. At no time will an employee be approved to work at an interval greater than 12 months without retraining. All employees assigned to attend a training session must demonstrate competency and retention of the minimal acceptable information prior to returning to any job assignment.

Documentation

Any and all safety and health related training administered or provided by Pate Trucking Company, LLC will be documented with the following minimum information:

- Date of training session.
- Provider (name of person conducting training and affiliation, if not an employee of the company)
- Subject matter
- Legible name of attendee(s) and supplemental identification if needed or required
- Signature or acknowledgment of attendance

All training records and documentation will become a permanent part of each employee record as well as a master record used to determine participation of all employees. Individual training records will be maintained for the current year plus five more.

8.7 SAFETY AUDIT AND INSPECTION

Pate Trucking Company, LLC has implemented a program to identify, correct, and control hazards on an ongoing basis. This program will utilize multiple resources to ensure effectiveness.

Comprehensive Surveys

Pate Trucking Company, LLC insurance partners will conduct periodic evaluations of our safety programs. These audits will identify existing and potential hazards and non-compliance issues that should be addressed. The findings of the surveys will be discussed and recommendations for corrective actions suggested. Audits will also be conducted to evaluate the overall effectiveness of the Safety and Health Process and employee training. Recommendations will be made to enhance the performance of the safety and health process. Reports will be forwarded to management for review.

Safety and Health Self-Inspections

The Safety Manager will conduct monthly in-house safety and health self-inspections that will cover the entire facility and equipment at each location of operation. All inspections will be conducted on an ongoing basis without interruption. Management will allocate adequate time and resources to perform the surveys.

Each location will develop and maintain an inspection checklist(s) specific to the operation. The list will be developed utilizing a general inspection checklist and will be evaluated and updated with hazards that are identified during the inspections and other pertinent data as it is acquired. The contents of this checklist will be reviewed on a regular basis to ensure that it is current and updated. The checklist will be and becomes part of the permanent record of the inspection and will serve as a confirmation of the audit. Each checklist will indicate the location or specific site or area surveyed, name and title of the inspector, date of inspection, and corrective action taken for identified hazards or violations. The inspection report will be used in trend analysis and recordkeeping.

Employees must be notified of the hazards that pose an immediate threat of physical harm or property damage, and informed of measures or steps that will be taken to eliminate, correct, or control the hazard.

8.8 ACCIDENT, INCIDENT AND HAZARD INVESTIGATION

Management is committed to and will correct or control all hazards identified through any of the avenues of recognition established. All identified hazards will receive a timely response.

Hazard Correction

Whenever possible and feasible, hazards identified at facilities will be corrected, eliminating the cause of the hazards at the source. This will include, but not be limited to the following:

- Discontinuation or removal of hazardous chemicals, materials, or substances from the workplace
- Discontinuation from use or removal of hazardous equipment until replaced or repaired
- Correction of any unsafe act or conditions in existence, by service or training

Hazard Control

When identified hazards cannot be eliminated, the hazard will be effectively controlled by engineering, administrative procedures, work practices, personal protective equipment, or any suitable combination of these measures. Engineering controls will include, but not be limited to the following:

- Isolation of employee exposure to the hazard
- Guarding the point of contact

8.9 EMPLOYEE COMMITMENT AND RESPONSIBILITIES

We recognize the success of any company-wide endeavor is largely dependent upon the entire work force. This company recognizes the value of employee involvement to assist us in realizing the goals we have set for ourselves. The President aggressively solicits from all employees the assistance for, and commitment to, the implementation of the Safety and Health Process. All employees are encouraged and expected to become involved in all aspects of implementing the Safety and Health Process.

All employees are expected to utilize established avenues to solicit and receive comments, information, and assistance where safety and health is concerned. All employees are expected to perform their job duties in a manner that is safe for themselves, as well as those around them. All employees are required to abide by all safety and health policies, procedures, and rules established by this company. All employees of this company will adhere to the safety and health regulations established by federal, state, and local agencies.

All employees are expected and required to adhere to the safety and health process of this company. **This is not optional!** Your continued employment with CND Energy Services, LLC is contingent upon your recognizing and abiding by the safety and health policies, procedures, and rules established by this company.

8.10 EMPLOYEE INVOLVEMENT

Management encourages employee involvement in each part of the implementation process for the ongoing safety and health process of this facility. We solicit this involvement by giving each employee an opportunity to participate and be responsible for implementation of the safety program for their respective areas.

Departmental Safety Meetings

This company will ensure that all employees meet on a regular basis, normally monthly, to discuss safety and health issues or concerns and increase employee awareness of the safety and health process. Regular meetings will keep the process active in the minds of employees, and offer an avenue for employees to voice concerns regarding workplace safety and health.

Meeting minutes and attendance records will be kept on file. Minutes will include all safety items and procedures discussed as well as the date and time of the meeting.

Reporting of Hazards and Unsafe Conditions

As a condition and requirement of employment, all employees are required to report hazards and unsafe conditions in the workplace to The President. He will take prompt and appropriate action to determine if a hazard exists. If it is determined that a hazard does exist, immediate attention for correction or interim protective measures will be taken. Regardless of whether or not a hazard is identified, the reporting employee will be notified of the corrective action taken or the procedures used to conclude that no hazard existed. If practical, this information will be shared with all employees of the facility.

Documentation

All reports of hazards and corrective measures/action taken will be documented and recorded. This documentation will be reviewed by management. Pertinent information will be made available for employee review.

8.11 DISCIPLINARY POLICY

Pate Trucking Company, LLC has developed a disciplinary policy that applies to the safety and health program of this company. The disciplinary policy will be a tool to ensure enforcement of the rules and procedures for a safe and healthy working environment. The disciplinary policy applies to all employees of this company.

Verbal Warnings

Management or supervisors may issue verbal warnings to employees that commit minor infractions or violations of the safety rules or safe work practices. Continued violations or verbal warnings will lead to more stringent action.

Written Warnings

Management or supervisors may issue written warnings for the following:

- Repeated minor violations of safety rules or procedures

- Single serious violations of a rule or procedure that could have potentially resulted in injury to themselves or another employee or could have caused property damage
- Activities that could potentially resulted in injury or property damage

Disciplinary Action

Supervisors may recommend and management may institute disciplinary leave for the above reasons and the following:

- A single serious violation of a rule or procedure that results in injury to an employee or property damage.
- Repeated violations, non-conformance to safety rules or procedures

Termination

Supervisors may recommend and management may concur in the termination of any employee for repeated serious violations of the above circumstances.

Documentation

Human Resources will establish employee files. Violations of company rules and/or safety rules, regulations or procedures will be documented by filling out a report on the employee. The report will state the type of violation and corrective action taken. The employee must read and sign the report acknowledging that they understand the seriousness of the violation.

8.12 COMPANY SAFETY RULES

1. Report all accidents--no matter how minor--immediately to your Supervisor.
2. Only operate equipment/tools that you are trained and authorized to operate.
3. Each employee is required to read, understand, and abide by the contents of this Company's Safety Program.
4. Federal and State Safety Standards must be complied with at all times.
5. Wear proper personal protective equipment for the job or task being done.
6. Use all safety devices provided for your protection.
7. Proper hearing protection must be worn in all high noise areas.
8. Appropriate shoes will be worn on the job.
9. Employees will wear proper protective clothing for the required job.
10. The use of drugs/alcohol on the job is strictly prohibited. See the **drug policy** for further details.
11. Horseplay is strictly prohibited.
12. Lift with your legs, not your back. Get help with heavy loads.

For those who drive on company business, seat belts shall be worn when driving and all state and federal driving laws shall be followed.

9.0 TRADE SECRETS AND INVENTIONS

9.1 CONFIDENTIALITY AND NON-DISCLOSURE OF TRADE SECRETS

The trade secrets and confidential information of Pate Trucking Company, LLC are its lifeblood. As a condition of employment, company employees must protect the confidentiality of company trade secrets and confidential information. Employees may come into contact with customer lists, operational or manufacturing procedures, or other confidential information. Access to this information should be limited to a "need to know" basis and should not be used for personal benefit, disclosed, or released, without prior authorization from a supervisor.

Any employee who has information that leads them to suspect that an employee or competitor is obtaining the company's confidential information must inform their supervisor of such.

Unauthorized disclosure of trade secrets, or other confidential information, may result in the discipline or termination of any employee, and subject the employee to potential legal action. Employee agrees not to disclose or communicate, in any manner, directly or indirectly, information about the company, its operations, clientele, or any other information, that relates to the business of the company, including, but not limited to, the names of its customers or clients, its marketing strategies, operations, or any other information of any kind deemed confidential, a trade secret, a customer or client list, or other form of proprietary information of the company. Employee acknowledges the above information is material and confidential and that it affects the profitability of the company. To the extent employee believes they need to disclose confidential information, they may do so only after obtaining prior written authorization from their supervisor. Employee understands any breach of this provision, or of any other confidentiality and non-disclosure obligation, is a material breach of the terms of their employment.

10.0 CUSTOMER RELATIONS

10.1 PRODUCTS AND SERVICES KNOWLEDGE

As an employee of Pate Trucking Company, LLC you are expected to be intimately familiar with the products and services we offer. You are encouraged to understand the inter-relationship between your department or division and the others of the company. We consider our employees to be one of our best sources of business referrals and the better educated you are about the company's production and service capabilities, the better chance you have at creating additional customers for the company.

10.2 CUSTOMER, CLIENT AND VISITOR RELATIONS

We strive to provide the best products and services possible to our customers and clients. Our customers and clients support this business and generate your wages. You are expected to treat every customer, client or visitor with the utmost respect and courtesy. You should never argue or act in a disrespectful manner towards a visitor or customer. If you are having problems with a customer, client or visitor, please notify your supervisor immediately. If a customer, client or visitor voices a complaint regarding our products or services, you are required to inform your supervisor of such immediately. Last, please strive to be prompt in following up on customer, client or visitor orders or questions. Positive customer, client and visitor relations will go a long way to establishing our company as a leader in its field.

10.3 GRATUITIES AND GIFTS

Employees may not, without the written approval of an appropriate supervisor, accept gifts, including money, tickets, meals, trips, goods, or services, from outside entities that have dealings with the company and which might give the appearance of a conflict of interest or inappropriate influence. Prohibited are cash gifts, gifts worth more than \$25 or lavish offers of entertainment. Any proposed gifts, including business meals or trips, should be discussed with your supervisor and approved in advance. Employees should not engage in any other conduct that would give the appearance of a conflict of interest.

11.0 CLOSING STATEMENT

11.1 CLOSING STATEMENT

Thank you for reading our employee handbook. Hopefully, it has provided you with an understanding of the company's mission, history and structure and our current policies and guidelines. We look forward to working with you to advance our common interest in a safe, productive and pleasant workplace.

President and CEO of Pate Trucking Company, LLC

12.0 ACKNOWLEDGMENT OF RECEIPT AND REVIEW

12.1 ACKNOWLEDGMENT OF RECEIPT AND REVIEW

By signing the Employee Handbook I acknowledge and I agree that I have received a copy of the Employee Handbook, understand it is my responsibility to read the Employee Handbook in its entirety. I agree to comply with the rules, policies, and procedures set forth, and any revisions made to the Employee Handbook in the future. I also understand that if I violate the rules, policies, and procedures set forth that I may be subject to discipline, up to and including termination of my employment.

I understand that the Employee Handbook contains information about the employment policies and practices of company. I understand that the policies outlined in this Employee Handbook are management guidelines only, which in a developing business will require changes from time to time. I understand that the company retains the right to make decisions involving employment as needed in order to conduct its work in a manner that is beneficial to the employees and the company. I understand that this Employee Handbook supersedes and replaces any and all prior Employee Handbooks and any inconsistent verbal or written policy statements.

I understand that except for the policy of at-will employment, which can only be changed by the president of the company in a signed written contract, the company reserves the right to revise, delete and add to this Employee Handbook at any time without further notice. I understand that no oral statements or representations can change this Employee Handbook. I understand that this Employee Handbook is not intended to create contractual obligations regarding any matters it covers and that the Employee Handbook does not create a contract guaranteeing I will be employed for any specific time period. I understand nothing in this handbook is created to infringe on any available legal rights.

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

If I have questions about the content or interpretation of the Employee Handbook, I will ask my supervisor or Human Resources.