



**New Enterprise
Stone & Lime Co., Inc.**

Employee Handbook

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Introduction

This handbook is intended solely as a guide. The language contained in the handbook should not be construed as creating a contract of employment, express, or implied, between New Enterprise Stone & Lime Co., Inc. (hereinafter called “NESL”) and any of its employees.

In the event there is a conflict between the language contained in this handbook and language contained in a collective bargaining agreement covering an employee, the language of the collective bargaining agreement, applicable to that employee, will govern.

This handbook is effective April 1, 2017 and supersedes all past handbooks.

Welcome

Welcome to the NESL family. As a new employee, there are many factors concerning your employment that you will want to know, need to know, or are expected to know, and this handbook is designed to help you in all those areas. Although every possibility is not covered in this handbook, it should answer most of the questions that you will have as you begin your career with NESL. Questions concerning our policies, your benefits, and personal opportunities are discussed in the following pages.

Successful completion of the probationary period should not be construed as creating a contract of employment or as guaranteeing employment for any specific duration or as establishing a just cause discharge standard.

The most important asset of NESL is you, our employee, and we encourage you to blend your talents and abilities with the knowledge of our current employees to continue NESL’s success.

Your contributions to NESL are stepping stones to advancement and greater earnings. We will do all we can to provide you with the opportunity to achieve personal satisfaction and utilization of your talents.

This employee handbook cannot cover every employment situation or answer every question about NESL policies or benefits. NESL has the right to add new policies, change policies, or cancel policies at any time. Consequently, this handbook cannot be viewed as an employment contract and is not intended to create contractual obligations of any kind.

Finally, NESL adheres to the principal of employment-at-will. The employment-at-will policy allows you or NESL to terminate your employment at any time for any reason with or without notice. Only the President of NESL has the authority to alter this policy and will only do so in writing.

We welcome you and look forward to a long and successful association.

Management of NESL

Corporate History

NESL was founded in 1924 as a partnership by J.S. Detwiler and his son, Paul I. Detwiler. The initial operations consisted of a quarry and facilities to crush stone and burn lime, products used in highway construction. Since then, NESL has grown into one of the largest employers in the region, with divisions and subsidiaries located in several areas of Pennsylvania, New York, Illinois, Florida, and Texas.

MISSION STATEMENT

Our mission as a family owned company is to provide the highest quality construction materials, heavy highway construction, and traffic safety products. Employees are our most valuable assets. We commit to achieving our mission in a safe, environmentally conscious, financially sound, and ethical manner. Safety, Communication, and Innovation are the three foundational values that support our mission in the New Enterprise culture.

Safety

We want every employee to go home safe at the end of the day. Our neighbors/communities can expect us to operate in a responsible and safe manner, and meet or exceed all required standards and laws.

Communication

We want our employees to embrace open, candid, constructive communication in all areas of the company. Our customers and vendors deserve timely, direct, and accurate information and feedback. We believe in communicating promptly and accurately with all community and governmental organizations. We support participation in local civic groups and state and national associations to advance our industry.

Innovation

Innovation is an employee driven, solutions oriented process. Each employee is encouraged to use an entrepreneurial spirit which is directed toward the long-term benefit of all employees and the company. We encourage thoughtful and calculated risk analysis in advancing our goals.

NESL Policy

This employee handbook cannot cover every situation or answer every question about policies and benefits at NESL. Also, sometimes we may need to change the handbook. NESL has the right to add new policies, change policies, or cancel policies at any time. If we make changes to the handbook, we will tell you about the changes as soon as practicable. Consequently, this handbook cannot be viewed as an employment contract and is not intended to create contractual obligations of any kind.

Code of Ethics

For the complete Code of Ethics policy, please refer to the NESL website at www.nesl.com, under the Employee Login section, or contact the Human Resources Department for a copy.

Safety and Health

A NESL Value

Safety is our leading NESL value. We have no tolerance for practices that fail to promote safety in the workplace or on the job site.

We work hard to develop a world class safety culture at NESL. From top management down, we have a “safety first” attitude and are determined to conduct all operations and maintain our facilities in a way that ensures a safe working environment for all employees.

Our Mission

Our mission is challenging: we want to eliminate all injuries from NESL workplaces. Ongoing training and accountability on every level are helping us achieve our mission.

Our approach to safety and regulatory compliance has enabled us to grow. We continue to prove that NESL can operate within safety and environmental regulations and that operating safely actually saves NESL money. We have demonstrated that safety can be a competitive advantage, and our commitment to safety is a vital part of our vision.

Our Vision

At NESL, we want every employee to go “Home Safe Every Day.” Our neighbors and communities can expect us to operate in a responsible and safe manner, and meet or exceed relevant standards, regulations and laws.

Our vision is embedded into NESL’s core values and business culture. We work relentlessly to achieve and sustain our safety vision through enterprise execution of five key elements that deliver world class safety performance.

1. Relentless recognition and remediation of hazards.
2. Integration of safety into every task our employees perform.
3. Employees are highly engaged in our safety culture and continuous improvement activities.
4. Teaching of safe behaviors and recognition of safe performance that helps us achieve our vision.
5. Root cause analysis when injuries and near misses occur.

All NESL employees are responsible and held accountable to ensure the above five key elements are part of their everyday work. Additionally, every employee is expected to:

1. Follow all safe work practices, policies and procedures applicable to the specific job function or task
2. Wear personal protective equipment per NESL policies.
3. Practice good housekeeping.

NESL has also issued Absolute Safety Rules to continue to insure employees return “Home Safe Every Day.” You can view a complete listing of these rules on page 11.

Personal Protective Equipment (PPE)

Personal Protective Equipment (PPE) is intended to establish a barrier between people and hazards and minimize the risk of personal injury after engineering or administrative controls are considered first. Only personal protective equipment that is approved by Corporate Safety is permitted to be used.

PPE includes, but is not limited to; head protection, eye protection, foot protection, hand protection, hearing protection, respiratory protection, welding gear, and personal fall arrest equipment. The following paragraphs provide a summary of NESL requirements for PPE use. A complete set of PPE requirements is located in NESL’s Safety and Health Standards Manual.

Head Protection

Protective helmets (hard hats) shall be worn at all times at any job/work site, all shops (e.g., mobile

equipment repair shop/garage, electric shop, etc.), hot mix asphalt (HMA) plant, ready mixed concrete plant (RMX), quarry and customer establishments.

Helmets shall also be worn when employees perform any other task or work in any area where there is a potential for injury to the head from falling objects or contact with electrical hazards are or may be present.

Helmets are not required to be worn when operating vehicles and equipment with enclosed cabs, within offices, and within enclosed control rooms.

Eye Protection

Eye protection (minimum of safety glasses) shall be worn at all times on any job/work site, all shops, plants and quarries. Safety glasses are not required when operating vehicles and equipment with enclosed cabs, within offices, and within enclosed control rooms. All eye and face protection shall meet the current ANSI Z87.1 requirements.

Eye and face protection is also required when employees are exposed to or have the potential to be exposed to flying particles, molten metal, splashing liquids, chemical gasses or vapors, potentially injurious light radiation (such as welding), or a combination of these hazards.

A prescription eyewear reimbursement program is available for certain eligible employees. Contact your supervisor for additional information regarding this program.

Hand Protection

Hand protection shall be used when there is a potential for them to be exposed to hazards from skin absorption of harmful substances, cuts, lacerations, abrasions, punctures; chemical burns, thermal burns, and harmful temperature extremes.

Hearing Protection

Employees shall wear hearing protectors when working in posted areas and/or when high noise levels warrant.

Foot Protection

Protective footwear shall be worn at all times on any job/work site, all quarries, all shops and plants and in all areas where there is a potential for foot injuries due to falling and rolling objects, objects piercing the soles, or electrical hazards.

- Protective footwear shall meet the current ASTM F2412 or ASTM F2413 standards with minimum I/75 and C/75 impact and compression resistance ratings respectively. Both steel and composite toe construction are acceptable if the minimum impact and compression ratings are satisfied.
- Protective footwear height must be at least 6-inches.
- Steel-toe or composite-toe sneakers are **not** permitted.

A protective footwear allowance program is available for certain eligible employees. Contact your supervisor for additional information regarding this program.

Respiratory Protection

Respiratory protection devices shall be used when working in areas designated by NESL. Employees shall not enter respirator required areas or wear a respirator in a respirator required area without successfully completing the NESL respirator protection training course, respirator fit test, and a medical clearance review performed by a health care provider designated by Corporate Safety Services.

Welding PPE

Welding helmets, gloves, and other protective welding equipment must be worn while welding.

Personal Fall Arrest Systems

Personal Fall Arrest Systems (harness, lanyard, retractable lanyards, horizontal lifelines, and anchor points) shall be utilized by employees when they are exposed to fall hazards and when operating or riding in any aerial lift basket.

Employees who must use personal fall arrest systems shall successfully complete NESL's fall protection course prior to being assigned any task that would require the use of a personal fall arrest system.

PPE Inspection and Maintenance

Employees shall inspect their PPE to assure it provides the required protection for the task being performed. PPE that is damaged, worn, or broken shall be replaced. Employees shall not use defective or damaged PPE.

Housekeeping

Good housekeeping is one of the primary ways to maintain safe working conditions. From the job site to the office, good housekeeping helps to achieve an efficient and safe workplace. Keep your work area clean and orderly whether it is putting away tools and materials, or keeping your desk or office orderly and uncluttered. Do not leave anything in a position that may cause an injury to you or someone else.

Incident Reporting

Employees shall report all incidents and near-misses immediately to their direct supervisor. Examples of incidents include; injury (regardless of how minor), vehicle accident, damage to a NESL vehicle, equipment or property, damage to other people's property, chemical spills and near misses.

Incidents are managed and investigated according to NESL claim management policies. All employees are expected to participate and comply with NESL incident/claim investigation and management policies.

Temporary, transitional duty work may be provided for injured workers who are not able to immediately return to their pre-injury job. Every employee is expected to return to work when the treating medical provider determines the employee can safely return.

Hazardous Materials

Hazard communication training is provided to employees who work with or around hazardous materials.

Safety Data Sheets (SDS) are available at your work location that tell you how to use chemicals safely, what to do in an emergency, and what protective care is needed when handling the chemical. Your supervisor will show you where to find the SDS's of chemicals in your work area.

Employees are responsible to read SDS's carefully before using any chemical or hazardous material in the course of work.

Pamphlets explaining SDS's are provided for your information in your new employee packet. Please read this material and refer any questions to your supervisor or Corporate Safety.

First Move Forward

Employees who operate NESL or personal vehicles on NESL properties, parking lots and worksites shall plan ahead to park or position the vehicle so that, when possible, the first move of the vehicle is forward after the vehicle has been parked or positioned.

There are situations, such as angle parking in conjunction with traffic flow, where the operator will have to pull-in to park. In these situations, the operator will check for a clear path prior to backing and maneuver slowly using extreme caution when backing into traffic.

Absolute Safety Rules

The Company has assessed circumstances associated with serious safety-related infractions. Serious violations are those where the potential for serious injury or death are highly likely if company safety rules and procedures are not followed. An employee who intentionally or unintentionally violates the rules listed below will be subject to disciplinary action up to and including immediate termination of employment on the first offense for failing to follow rules and procedures related to:

1. Fall protection
2. Energy isolation, Lockout/Tagout
3. Confined space entry
4. Operating equipment without necessary guards, safety devices, interlocks, or controls, or intentionally bypassing these safety devices
5. Use of seatbelt
6. Use of proper personal protective equipment (PPE) as required by company policies
7. Providing protection against electrical arc flash and overhead electric wires
8. Providing protection of trenches and excavations (sloping, shoring and shielding)
9. Immediate reporting of injuries, accidents, at-risk conditions (hazards) or at-risk behaviors to supervision
10. Behavior, such as horseplay, that endangers themselves or others

Observance of these "Absolute Safety Rules" will insure your fellow employees and you return **"Home Safe Every Day"**.

Miscellaneous

Employee Classifications

Regular full time employees are those who have completed their probationary period and are regularly scheduled to work at least thirty (30) hours per week.

Part-time employees are those who are regularly scheduled to work less than 30 hours per week.

Probationary employees are those who have not successfully completed the probationary period established in accordance with their position. Upon completion of this period, a probationary employee moves to the assigned location for which he/she was employed. Successful completion of the probationary period should not be construed as creating a contract of employment or as guaranteeing employment for any specific duration or as establishing a just cause termination standard.

Temporary employees are those whose services are required for a specific length of time. NESL will determine when these services are complete, and the temporary employment will end.

All employees acknowledge that they are "at will" employees and are subject to discharge at any time for any reason, with or without cause.

All probationary and temporary employees, when laid off for lack of work or any other reason, will have no right to recall, nor will NESL be obligated to recall probationary or temporary employees. Any separation from work by a probationary or temporary employee can be considered to be comparable to a discharge from employment.

The probationary or temporary employee also acknowledges that he/she is not subject to the provisions of any external documents that NESL may publish or distribute, except as specifically designated by NESL.

Notification of Policy Change

NESL reserves the right to change, modify, suspend, or cancel any of its policies or practices. This right extends both to published and unpublished policies, and NESL may act without advance notice and at its sole discretion. NESL need not provide a reason for the change nor provide special consideration to any employee when dealing with NESL policy.

NESL may set policies regarding types of production, location and numbers of plants, methods, processes and means of production, size of the workforce, assignments of work, hours of employment, the rights to hire, suspend, discharge, promote, transfer, and layoff. However, the provisions of any applicable collective bargaining agreement in regard to any of these areas will take precedence when applying these policies to employees represented by a labor organization.

NESL pledges to each employee that we will at all times have in mind fairness, the security of NESL's business, and employee job security. We also urge any employee who feels he/she has not been treated fairly to express his/her reasons to his/her supervisor, to management through the proper channels, or to our Ethics Hotline, Lighthouse.

Access to Records

This notice is to provide information for compliance with Federal Regulation 29 CFR Part 1910, Sub-part C, General Safety and Health Provisions-Paragraph 1910.20, "Access to employee exposure and medical records."

The existence, location, and availability of any records covered by this section are at the Corporate Office in New Enterprise, PA. The Human Resources Department is responsible for maintaining and providing access to these records. Employees have the right to access the records at any point in time during their employment with NESL. The records must stay in The Human Resources Department while being reviewed and no copies can be created.

A copy of this regulation and its appendices is available to all affected employees at the Corporate Office through the Human Resources Department.

Equal Employment Opportunity Policy

It is the policy of NESL to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, ancestry, age, non-job-related handicap or disability, or status as a Vietnam-era or special disabled veteran. This policy applies to all terms and conditions of employment including upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job-training.

To further the principle of Equal Employment Opportunity for all, NESL has developed an Affirmative Action Plan. Information concerning this plan may be obtained from the Human Resources Department.

Disability Accommodation

NESL is committed to complying fully with the Americans with Disabilities Act as Amended (ADAAA). We are also committed to ensuring equal opportunity in employment for qualified persons with disabilities. We conduct all our employment practices and activities on a non-discriminatory basis.

Our hiring procedures have been reviewed and they provide meaningful employment opportunities for persons with disabilities. We only make pre-employment inquiries regarding an applicant's ability to perform the duties of the job.

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

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as job assignments, classifications, organizational structures, position descriptions, lines of progression, and seniority lists. We make all types of leaves of absence available to all employees on an equal basis.

NESL is also committed to not discriminating against any qualified employee or applicant because the person is related to or associated with a person with a disability. NESL will follow any state or local law that gives more protection to a person with a disability than the ADAAA gives.

NESL is committed to taking all other actions that are necessary to ensure equal employment opportunity

for persons with disabilities in accordance with the ADAAA and any other applicable federal, state, and local laws.

Individuals who are currently using illegal drugs are excluded from coverage under the NESL ADAAA policy.

Immigration Compliance

As an Equal Opportunity Employer, NESL is required to hire persons legally entitled to work in the United States without regard to race, color, religion, sex, national origin, age, disability, genetic information or any other characteristic protected by law. However, the policy, in conformity with the Immigration Reform and Control Act of 1986, is to hire only those who are eligible to work in the United States.

Hiring decisions are made without regard to citizenship or resident status. Candidates will be asked to produce satisfactory evidence of eligibility to work in the United States according to IRCA-1986. These eligibility documents and the complete INS Form I-9 must be presented prior to reporting for work. Verification is required of all new hires. The Human Resources Department keeps these I-9s on file for three (3) years or term of employment plus one (1) year.

Orientation & On-Boarding

Orientation to your job varies from department to department and job location to job location. It may be as simple as a walking tour or may include a safety program, State Training Program or other introductory exercises. All employees will attend an On-Boarding class at the beginning of employment, either at the Corporate Office location, or at a satellite location.

The probationary period is the time stated in your offer letter, or assigned by management. During this time your abilities and performance are evaluated closely by your supervisor.

If your performance has not been satisfactory during the probationary period, your employment will be terminated, however, the probationary period may be extended if management feels it is in the best interests of both NESL and you.

During the probationary period, an evaluation may be made of your performance. If this evaluation is satisfactory, you may be granted regular status.

Successful completion of the probationary period should not be construed as creating a contract of employment or as guaranteeing employment for any specific duration or as establishing a just cause termination standard.

Attendance/Absence

Punctuality and regular attendance are extremely important to our production effort. You are expected to work your scheduled hours. Punctuality is the essence of employment, both at the start of your work schedule and the full completion of your work schedule. Excessive absenteeism and/or tardiness will not be tolerated and are causes for discipline up to and including discharge.

If you find it necessary to be absent, you must notify your supervisor, as early as possible (but no later than one hour) before the start of your assigned shift. You may be asked to provide a reason for the absence. Grounds for excused absence may include personal illness, jury duty, or other reasons that will

cause a loss of a work time. You may be asked to substantiate these reasons, if requested to do so.

Employees off work due to personal illness for three (3) days or more, may be required to provide a doctor's release upon return to work.

An unexcused absence occurs when an employee fails to request prior approval of an absence or fails to report that absence.

Overtime

For all hourly and non-exempt employees of NESL, overtime will be paid at the rate of one and one-half (1 ½) times your base hourly rate, for time worked over the forty (40) hours per week. For hourly employees that are a member of a collective bargaining agreement, overtime administration is negotiated and detailed in the respective collective bargaining agreement. All overtime must be authorized by your supervisor.

Flex Time

There may be times when an employee may need to work a modified work schedule for business needs or an occasional personal need. With the approval of the supervisor the employee may "flex," such as modification to starting and ending of shift, as not to exceed forty hours a week in total.

Performance Reviews

New employees receive performance reviews during their probationary period. Existing employees may receive performance reviews when deemed necessary.

Annual Increases

The policy of NESL is to ensure that NESL is competitively compensating its employees. By this, we mean NESL strives to compensate employees for performance, tasks and the market value of their job(s). Increases are based on performance, cost-of-living factors, and NESL profits or as bargained in the collective bargaining agreement that you are a member of.

Work Schedules

Work schedules vary according to job, work location and department you work in. You are expected to work your scheduled hours.

Where time clocks are used, you must remember that this is a very important tool. Time must be registered each day clocking in and out as follows:

- Before starting to work.
- Before and after lunch, if leaving the physical location or grounds.
- Leaving or reporting to work during shift hours for authorized absences.
- After completing work.

You must clock in and out yourself. Recording another employee's time is an offense that may result in disciplinary action up to and including discharge.

Timekeeping

Hourly and non-exempt employees are responsible for accurately recording the hours they work. The Federal Fair Labor Standards Act (FLSA) requires NESL to keep accurate records of "time worked" in order to correctly calculate employee pay and benefits. "Time worked" means all the time that non-exempt employees spend performing their assigned work.

If you are a non-exempt employee, you must accurately record the time you start and stop work, when you start and end any meal periods or split shifts, and when you leave the workplace for personal reasons. Before you work any overtime, you must always get advanced approval.

Falsifying time records is a serious matter. You may not change time after it is already recorded, enter a false time on purpose, tamper with time records, or record other employees' time for them. Any of these actions may be subject to disciplinary action, up to and including termination. If you have made an error with the time clock, you must have your supervisor correct and/or approve it.

For "time worked" that occurs over a two-day period in a single shift, all hours for that shift are applied to the day the shift started. For hourly employees that are a member of a collective bargaining agreement, we will follow what is specified in the collective bargaining agreement.

Use of NESL Vehicles

The use of NESL vehicles, assigned or otherwise, is to be considered a privilege. The use is to be limited to NESL employees only (temporary employees excluded). Authorization for employee use is approved by the manager responsible for the vehicle(s). Personal use is permitted for assigned vehicles only as evidenced by an approved vehicle assignment form and corresponding payroll deduction. The use of NESL vehicles should comply with all requirements as stated in the Corporate Vehicle Policy.

It is understood that an employee using a NESL-owned vehicle in a manner not consistent with the "laws of the land" (Local, State, and Federal law), the above "Corporate Vehicle Policy", and our current General NESL Work and Safety Rules will be subject to loss of vehicle privileges and/or disciplinary action up to and including termination.

All accidents involving NESL vehicles must be reported immediately to your supervisor, and an accident report must be filed with the Risk Management Office.

Paycheck Procedures

Your paycheck or direct deposit advice is issued on a weekly or semi-monthly basis depending upon your job. Should a payday fall on a regularly scheduled holiday, paychecks and direct deposits will be dated on the preceding workday.

Since unforeseen circumstances, such as weather, could delay postal mail delivery, upon being hired, we offer Direct Deposit. By completing a Direct Deposit Form, your paycheck is deposited directly into your account on payday. Additional forms to make a change can be obtained from many location offices or the Human Resources Department.

Payroll Deductions

NESL is required by law to make deductions of certain amounts from your paycheck. These deductions include but are not limited to:

- Federal Income Tax
- Social Security and Medicare Tax
- State Income Tax
- Local Wage Taxes
- Wage Attachment / Garnishment / Levy

Your Supervisor

At NESL we have a genuine concern for you, your welfare, your progress, and your future. The most accessible contact between NESL and you is your supervisor. Your supervisor is the person who has accepted the responsibility to listen to your concerns and give you frank and courteous answers to your questions. He/she has been trained for his/her job, and continues that training through meetings, seminars, and workshops.

You will find that your input will be welcomed by your supervisor because he/she looks for opportunities to help you and NESL succeed. He/she depends on you, and others like you, to do your full share as we all work together as a team.

Personal Conduct

NESL is committed to provide secure and safe employment for the work force, deal fairly and satisfactorily with customers and vendors, and expand opportunities for growth and profit for NESL. In order to do business, it is sometimes necessary to deal with problems in the workplace. Because of this, certain guidelines and rules of conduct must be followed to ensure that you, NESL, the customer and vendor are all being given the best possible opportunity to succeed and prosper.

The General NESL Work Rules outlines some of the more important regulations we feel need to be followed. These rules do not cover every possibility, but do establish certain priorities we think are important and some of the actions we will take in dealing with major infractions. Please refer to the section in the back of your handbook.

Employee Responsibilities

Along with the many advantages, opportunities, and benefits offered by NESL come certain responsibilities.

The most important of these responsibilities is that you do your best to meet the standards of performance and conduct set forth in this handbook. They include (but are not limited to) things like maintaining alertness, using good judgment, being prompt and regular in attendance, cooperating with your supervisor and fellow workers, and being loyal to NESL.

These standards enable both you and your supervisor to measure your performance. In order to meet these standards, you must be familiar with this handbook and do your best to follow through and do a good job on your work assignment. Listen to your supervisor carefully and follow his/her instructions promptly. Completing each assignment to his/her satisfaction is the surest way to make progress.

Do not be afraid to think, ask questions, or offer constructive suggestions. Your supervisor will welcome ideas that are beneficial to NESL.

If your performance falls below the expectations of your supervisor, it is his/her responsibility to call the poor performance to your attention. It is not, however, his/her responsibility to resolve that problem. It is your responsibility to take the necessary actions to resolve the problem and maintain the appropriate standard of behavior and conduct.

Unlawful Harassment

NESL will not tolerate the unlawful harassment of its employees by fellow employees, customers, clients, or vendors. The term harassment includes, but is not limited to, slurs, jokes, or other verbal, graphic, or physical contact relating to an individual's race, color, religion, age, sex, national origin, or disability.

Ethnic harassment includes the use of derogatory words or phrases characterizing a given racial or ethnic group.

Sexual harassment includes:

1. Unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual or otherwise offensive nature especially where:
 - A. Submission to such conduct is made either explicitly or implicitly a term or condition of employment;
 - B. Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment;
 - C. Such conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.
2. Offensive comments, jokes, innuendos, and other sexually-oriented statements.

Unlawful harassment is a form of employee misconduct which undermines the integrity of the employment relationship and will not be tolerated. Therefore, any type of harassment is forbidden, including the display of sexually explicit materials or other printed materials such as cartoons, pictures or posters. All employees must be allowed to work in an environment free from harassment. Consequently, employees who violate this policy will be subject to disciplinary action, up to and including discharge.

Any complaint of harassment should be addressed through the Avenues of Appeal directly to your immediate supervisor. If inappropriate, you have opportunity to go to step 4 of the Avenues of Appeal. (Complaints of harassment will be promptly investigated by the Vice President of Human Resources.)

If a complaint of harassment is found to be valid, the offensive conduct will be stopped and the person responsible for the behavior will be disciplined. Employees who report harassment, or provide information to management regarding such claims of harassment, will be protected from retaliation by any other person in the workplace. Harassment claims will be treated with confidentiality to the greatest extent possible to protect the accuser and the accused. Disciplinary action will be taken against any employee who provides false information regarding a complaint of harassment.

Avenues of Appeal

The following policy is set forth merely as a guideline. The implementation of this policy should not be construed as preventing, limiting, or delaying NESL from taking disciplinary action, including immediate discharge, in circumstances where NESL deems such action appropriate.

When problems occur, your Supervisor should be contacted FIRST. Whether it is a problem understanding your job assignment, a feeling that you have been treated unfairly, or even a personal problem, your Supervisor is the first avenue in the management chain. Remember that many times he/she may not be aware that a problem exists, and unless it is called to his/her attention, it may continue to go unnoticed. If a satisfactory solution is not reached, or if you need more assistance, please contact our Ethics Hotline, Lighthouse. Lighthouse is our anonymous hotline service for employees to report any employee relations-related issues. A comprehensive Avenues of Appeal is available for your review in the Human Resources Department.

Information on Lighthouse can be found on NESL bulletin boards, or on the NESL website (www.nesl.com, under the Employee Login section).

Grievance

If you are covered under a collective bargaining agreement, NESL will comply with the grievance procedure as outlined in the collective bargaining agreement.

Non-union employees should exhaust the appropriate chain of command to address grievances. If after using the appropriate chain of command, the employee may request assistance from Human Resources or use the Ethics Hotline (Lighthouse).

Drug Free Workplace

NESL recognizes that the use of illegal drugs, or abuse of prescription drugs, is a danger to us all. They impair safety and health, promote crime, lower productivity and quality, and undermine our customer's confidence in the work we do.

Under the Drug-Free Workplace Act of 1988, in order to maintain or acquire Federal contracts, NESL must maintain a workplace that is free of illegal drugs. Therefore, we have developed a drug-free workplace.

Any location (site owned, leased, or utilized by NESL) is declared to be a drug-free workplace. This means that all employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances at any location or site owned, leased, or utilized by NESL and while conducting NESL's business.

You have the right to know the dangers of drug abuse in the workplace, NESL's policy about use of illegal drugs, and what help is available to combat drug problems. We have an ongoing education program for all employees on the dangers of drug abuse in the workplace. To assist employees in overcoming drug abuse problems, NESL may offer medical benefits for substance abuse treatment, information about community resources for assessment and treatment, a counseling program, and an employee assistance program (EAP). You can contact the Human Resources Department for information on NESL's EAP program.

Any employee violating this policy is subject to discipline up to and including discharge for the first offense.

Please refer to the Substance Abuse Policy section in the back of the handbook or contact the Human Resources Department.

Customer Relations

NESL is a sales driven business operating in a highly competitive marketplace. We strive to add value to our customers and improve the standard of living within our communities by extracting natural resources, manufacturing products, and performing various services. We must earn our customer's business every day by working together safely and efficiently to provide quality products; timely, friendly, and efficient service. When we are successful, products cross a scale; services are rendered; employees and vendors are paid; and the cycle continues. Quite simply, we are here to serve our customers, and that makes you our most important asset.

Others judge our company based on what you do. No matter how far removed from the actual customer you feel you are, you play a significant role in customer relations. Regardless of your position, the way you perform your specific job is part of our customer relations. Customers remember careless work habits, such as, misdirected calls, poor driving habits, abusive language, etc. Your attitude towards our customers could affect future promotions or could lead to termination.

Confidentiality

Your job may require the handling of information that is considered sensitive or confidential. It is important that you deal with this information properly. As a general guideline, any information that has not been published is to be considered confidential and should not be revealed to anyone inside or outside NESL, but only with your supervisor or other authorized personnel.

Examples of confidential information could include, but are not limited to:

- Proprietary information
- Trade secrets
- Inventions
- Information of possible value to competitors, potentially damaging to customers, or received from outside (third) parties

Dress Code

All job locations require shirts, pants and safety equipment that NESL uses to get its specific work done. Dress guidelines are established for specific jobs, several of these requirements include safety requirements. Employees working in construction, quarries and transportation are expected to abide by a dress code that incorporates all safety requirements.

Office employees are expected to dress in a manner which represents good taste and proper decorum, otherwise known as "business casual." We frequently have outside business associates and customers visiting our offices and want to put our best foot forward. Examples of appropriate business attire could include: business pants, khakis, polo collar knit or golf shirts, oxford shirts, blouses, turtlenecks, sweaters, low-heel shoes and business-style sandals. Footwear should be appropriate to work safely in an office environment.

Casual attire is welcomed on “Casual Day.” Casual attire on this day could include: blue jeans (with no rips, tears or fraying; may not be excessively tight), t-shirts or sweat shirts (free of vulgar or inappropriate material), sneakers and sandals that safely protect your feet (i.e. crocs, sandals with sling backs, etc.)

Inappropriate attire for the office environment could include: muscle shirts, sweatpants, low-rise or hip-hugger pants or jeans, spaghetti strap shirts, excessively tight-fitting clothing, and flip flops that could easily come off and create a safety hazard.

Failure to comply with these guidelines may result in your supervisor or the Vice President of Human Resources asking you to leave your job and return appropriately attired. Employees who wear business attire that is deemed inappropriate in the workplace will be dealt with on an individual basis.

Computer and Email Usage

To help you do your job, NESL may give you access to computers, computer files, the email system, and software. You should not use a password, access a file, or retrieve any stored communication without authorization. To make sure that all employees follow this policy, we may monitor computer and email usage.

We try hard to have a workplace that is free of harassment and sensitive to the diversity of our employees. Therefore, we do not allow employees to use computers and email in ways that are disruptive, offensive to others, or harmful to morale.

At NESL you may not display, download, or email sexually explicit images, messages, and cartoons. You also may not use computers and email for ethnic slurs, racial comments, off-color jokes, or anything that another person might take as harassment or disrespect.

You may not use email to ask other people to contribute to or to tell them about businesses outside of NESL, religious or political causes, outside organizations, or any other nonbusiness matters.

NESL buys and licenses computer software for business purposes. We do not own the copyright to this software or its documentation. Unless the software developer authorizes us, we do not have the right to use the software on more than one computer.

You may only use software on local area networks or on multiple machines according to the software license agreement. NESL prohibits the illegal duplication of software and its documentation. If you know about any violations to this policy, notify your supervisor, the President or any member of management. Employees who violate this policy are subject to disciplinary action, up to and including termination of employment.

Any employee using cell phones to check their emails or conduct business should also reference the Mobile Device Acceptable Use Policy. For a copy of the complete policy, you can contact the Human Resources Department, or it can be found on the NESL website (www.nesl.com, under the Employee Login section).

Internet Usage

NESL may provide you with Internet access to help you do your job. This policy explains our guidelines for using the Internet. Internet usage is intended for job-related activities only.

All Internet data that is written, sent, or received through our computer systems is part of official NESL records. That means that we can be legally required to show that information to law enforcement or other parties. Therefore, you should always make sure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and legal.

The equipment, services, and technology that you use to access the Internet are the property of NESL. Therefore, we reserve the right to monitor how you use the Internet. We also reserve the right to find and read any data that you write, send, or receive through our online connections or is stored in our computer systems. You may not write, send, read, or receive data through the Internet that contains content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or other person.

Examples of unacceptable content include (but are not limited to) sexual comments or images, racial slurs, gender-specific comments, or other comments or images that could potentially offend someone based on race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

NESL does not allow the unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet. As a general rule, if you did not create the material, do not own the rights to it, or have not received authorization for its use, you may not put the material on the Internet. You are also responsible for making sure that anyone who sends you material over the Internet has the appropriate distribution rights.

Before you download or copy a file from the Internet, it must be checked for viruses. All compressed files must be checked for viruses both before and after decompression.

If you use the Internet in a way that violates the law or NESL policies, you will be subject to disciplinary action, up to and including termination of employment. You may also be held personally liable for violating this policy.

The following are some examples of prohibited activities that violate this Internet policy:

- Sending or posting discriminatory, harassing, or threatening messages or images
- Using the organization's time and resources for personal gain
- Sending or posting confidential material, trade secrets, or proprietary information outside of the organization
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the organization or initiate unwanted Internet services and transmissions
- Sending or posting messages or material that could damage the organization's image or reputation
- Participating in the viewing or exchange of pornography or obscene materials
- Sending or posting messages that defame or slander other individuals
- Using the Internet for political causes or activities, religious activities, or any sort of gambling
- Jeopardizing the security of the organization's electronic communications systems
- Sending or posting messages that disparage another organization's products or services
- Engaging in any other illegal activities

Workplace Monitoring

NESL may conduct workplace monitoring to help ensure quality control, employee safety, security, and customer satisfaction.

All computer equipment, services, or technology that we furnish you are the property of NESL. We reserve the right to monitor computer activities and data that is stored in our computer systems. We also reserve the right to find and read any data that you write, send, or receive by computer.

Because we are sensitive to employees' legitimate privacy rights, we will make every effort to guarantee that workplace monitoring is always done ethically and with respect.

Cell Phone Usage

We provide cell phones to some employees for business use. Employees with cell phones are allowed to use them for short personal calls within reasonable limits. We may check cell phone bills to make sure this policy is being followed.

NESL prohibits employees using cell phones for business while they are driving. If you are driving and need to use a cell phone, you should pull off the road and stop before you place a call or talk on the phone. Under NO circumstances should you “text” and/or e-mail while operating a vehicle on NESL business.

When using a cell phone, please remember to keep your conversations private and quiet.

Smartphone & Remote Connectivity Compensation Policy

Certain non-exempt positions within NESL require a smart phone, cell phone, laptop computer or other remote connectivity device (electronic device) to fulfill job responsibilities. Certain non-exempt employees must be available off-hours to conduct NESL business. The purpose of this policy is to define compensation rules for non-exempt employees working in these situations. To view the full Smartphone & Remote Connectivity Compensation Policy, you can contact the Human Resources Department, or view it on the NESL website (www.nesl.com, under the Employee Login section).

Outside Employment

While working for NESL should be your first work priority, we understand that circumstances may arise where you may need, or desire, to work other position(s). This should be reviewed and discussed with your supervisor.

NESL has the right to reserve the number of hours you work for another employer, or cease work if it conflicts with your work with NESL. At no time should you be working a secondary position(s) for a competitor or regulator (government entity).

CDL qualified drivers must report to NESL all worked hours during the week when driving for other companies or as a subcontractor.

Business Gifts

Accepting business gifts from clients or customers can be the source of a serious problem, both for NESL and you. It can lead to a sense of obligation or create, in some cases, a conflict of interest.

Therefore, you should think before accepting gifts and should not accept gifts, loans, or other favors that would put NESL or yourself under any obligation, real or perceived.

Data Changes

It is important that our personnel records contain accurate, up-to-date information. Notify the Human Resources Department at once if you should have a change in any of the following:

- your name (marriage/divorce)
- address
- telephone number
- marital status
- number of dependents
- beneficiaries
- emergency notification person
- qualifying events that may change your insurance election(s)
- direct deposit information (changes in banks/account numbers)

Up-to-date records are not only important to NESL, they can also affect you personally and financially. Be prompt in making any and all changes.

Seniority

Seniority refers to your length of service, or employment, with NESL. Hourly employees will be given seniority standing with NESL at the end of the probationary period. Length of service is determined from your original date of employment unless continuity has been broken by layoff of more than eighteen (18) months or per collective bargaining agreement. If rehired after either of these reasons, seniority will be computed from the rehiring date.

If you leave NESL for military service, you will continue to accumulate seniority during that period of time. However, you must apply for reinstatement in accordance with USERRA and applicable state laws.

Layoff-Decrease in the Work Force

Although every reasonable effort will be made to provide employees with steady work, there may be times when business conditions, economic conditions, or climate restraints will force a reduction in the work force. Should we be faced with a layoff situation, NESL will consider alternative employment opportunities, for example, transfers, knowledge, skill and ability, performance and seniority. Although past performance and length of service may be determining factors in many cases, seniority will not be the only deciding factor. Management reserves the right to make decisions that are in the best interests of NESL, and retain the best-qualified employees. If there is a layoff, as much advance notice as possible will be given to those affected. In the event of a discrepancy with this layoff policy, the collective bargaining agreement will govern for those employees covered by the collective bargaining agreement.

Recall from Layoff

When employees are being considered for recall from layoff, NESL shall first determine the needs for the various departments and the job requirements that need to be filled. Once again, management reserves

the right to make these decisions based on what is best for NESL. All employees who are to be recalled will be contacted by NESL. Any recalled employee who does not report to work within five (5) calendar days of his/her first scheduled day of work (or as per collective bargaining agreement) will be considered to have voluntarily terminated his/her employment.

If you have not been recalled from layoff within eighteen (18) months (or per collective bargaining agreement) from your layoff date, you will be considered to be permanently separated from NESL.

In the event of a discrepancy with this recall from layoff policy, the collective bargaining agreement will govern for those employees covered by the collective bargaining agreement.

Termination of Employment

Resignation

If you choose to leave NESL, a two-week notice of your intent is requested. Terminations without sufficient notice may affect future considerations should you desire to reapply for employment.

Employees leaving NESL will be given the opportunity to have an exit interview with the Human Resources Department at which time information valuable to you and to NESL will be exchanged.

Your final paycheck or direct deposit will be mailed on the next regularly scheduled payday.

Discharge

Discharge will result when violation(s) of NESL policy occurs which are of a serious nature affecting safety of other employees or the status and good name of NESL. Discharge is serious and could affect your future employment and should not be taken lightly.

Many conditions leading to discharge are outlined in this handbook in the section titled General NESL Work Rules. Although these rules do not cover every possible reason that could lead to discharge, they do provide a general view of conduct that will not be tolerated.

Your final paycheck or direct deposit advice will be mailed on the next regularly scheduled payday.

NESL Property

NESL Vehicles

NESL vehicles, cars, and pick-ups are authorized to certain employees under certain circumstances. NESL vehicles are intended primarily for business use and may only be used in a personal capacity if you are assigned to that vehicle, as fully described in the Corporate Vehicle Policy. At no time may a non-employee operate a company owned vehicle. Prior to granting access to a NESL vehicle, NESL may require the employee to provide proof of insurance and a clean driving record.

Employees who have a vehicle allowance must comply with the requirements as stated in the Corporate Vehicle Policy.

Seat Belts

All drivers are required to comply with State and Federal motor vehicle regulations. NESL requires seat belts to be worn in all NESL owned, leased, or reimbursed vehicles, trucks, and heavy equipment where seat belts are present to comply with State and Federal motor vehicle regulations.

Failure to comply with this seat belt regulation may result in disciplinary action up to and including discharge.

NESL Phones, Computers, Networks & Other Mobile Communication Devices

NESL phones are intended for business use, and using NESL phones for personal reasons could interfere with business calls. Personal calls should only be made on NESL phones when they cannot be handled any other way or in the case of emergencies.

If an emergency call should come in for you, every effort will be made to reach you immediately.

Other NESL Property

In many cases, NESL owned property will be issued to you for use in the performance of your job. We ask that you treat this equipment properly, use it efficiently, safely, and conserve as much as possible. Waste is costly. Be careful in the use of NESL property and we will all benefit.

No NESL owned goods or property may be used for the personal gain or advantage of any employee without written permission from his/her Manager. NESL reserves the right to inspect the contents of your NESL issued phone. There is no guarantee of privacy when using a NESL phone, computer, network or similar device.

Employee Relations

Promotions/Transfers/Relocations

It is in the best interests of both NESL and you to have the best-qualified person in every job. Consequently, it is the policy of NESL to fill all openings within our organization with the best-qualified candidates, in accordance with our Affirmative Action Plan.

If vacant or new positions must be filled, consideration will be given to any current employee who is qualified or who could become qualified, in a reasonable amount of time. If no current employee meets the requirements, NESL will select the best-qualified person from outside the organization.

The time may come when you feel you would like a transfer to another job. Discuss this matter with your supervisor and he/she will discuss your qualifications with you. A transfer form must be completed and forwarded to the Human Resources Department.

In order to provide opportunities for transfer and promotion, it is the policy of NESL to notify its employees of job openings. NESL digital media such as email and the Taleo Career Center may be used for this purpose. NESL may also post positions externally, and welcomes employee referrals for these postings. However, NESL reserves the right to decide which jobs are posted. You must be in good standing with NESL having no violations currently on your work record.

Questions regarding posted jobs will be handled through the Human Resources Department. If you decide to apply for a posted job, you may wish to have your supervisor assist in making an application.

The initial interview for the job will be held with the appropriate NESL member of management. If you are qualified, an interview will be arranged with the supervisor in the area of the job opening. If you do not have the qualifications necessary, the reasons will be explained to you by the interviewer from the Human Resources Department.

In the event of a disagreement with promotions or transfers, a request to review the job assignments may be made through the Human Resources Department or the Ethics Hotline. Those employees covered by a collective bargaining agreement will be re-assigned per the provisions of the collective bargaining agreement.

Lunch Periods

Non-exempt employees are provided with an unpaid lunch period. This lunch period is normally thirty (30) minutes long and is to be scheduled by your supervisor. In some cases lunch periods will be staggered to provide uninterrupted service schedules. We ask that you observe the thirty-minute limit and help keep lunch areas sanitary. Exempt employees may require different schedules depending on work assignment.

If non-exempt employees wish to leave NESL property during this time you must punch time clocks where provided. You are urged to avoid visiting other departments during this lunch period. Any lunch period of more or less than thirty (30) minutes must be cleared with your supervisor.

Work time includes all time during which an employee is assigned to or engaged in the performance of job duties. This does not include breaks, lunch periods, or other assigned relief periods.

Solicitation/Distribution

As an employee of NESL you may not solicit other employees or distribute literature to other employees during work hours. Work hours do not include breaks or lunch time. Distribution of printed materials is prohibited at all times in work areas. In addition, non-employees are prohibited from distributing material or soliciting employees on NESL owned or controlled premises at any time.

Union officials are permitted to meet with employees covered by a collective bargaining agreement in accordance with the provisions of the applicable collective bargaining agreement.

Inclement Weather

It is the policy of NESL to continue operations despite weather conditions unless extraordinary conditions exist. If such conditions do exist, all possible efforts will be taken to announce plant or office delays or closings in a timely manner.

NESL Events

From time to time you have the opportunity to take part in NESL sponsored events. Although this is voluntary, you are encouraged to take part whenever possible. Should you decide not to attend a NESL sponsored event, you will not be retaliated or discriminated against due to your decision.

Smoking/Tobacco/Electronic Cigarettes

In observance of the law of the states NESL operates in, NESL prohibits smoking throughout the workplace. Smoking is permitted only in designated outdoor smoking areas.

We take this strong stand against smoking for several reasons:

- When working around flammable liquids, combustible gases and other materials, smoking jeopardizes the safety of all individuals in the surrounding work areas.
- It detracts from the on-the-job working conditions and NESL's public image.
- It may be harmful to the health of other individuals.

Drug and Alcohol Use

NESL is committed to being a drug-free, healthful, and safe workplace. You are required to come to work in a mental and physical condition that will allow you to perform your job satisfactorily.

NESL employees may not use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs while on NESL premises or while conducting any business-related activity away from NESL premises. You may use legally prescribed drugs on the job only if they do not impair your ability to perform the essential functions of your job effectively and safely without endangering yourself or others.

If you violate this policy, it may lead to disciplinary action, up to and including immediate termination of your employment. You may be asked to have a drug screen completed; urine or blood specimens will be collected at a NESL designated collection site by trained personnel who initiate the "chain of custody" documentation. After the specimen has been collected and forwarded to the laboratory, two tests may be performed. The initial test is the immunoassay test. This is a screening test to determine usage for the five-panel test of drugs and alcohol.

If the employee produces no urine specimen or a low-volume urine specimen, it is the employee's responsibility to remain at the collection site until he/she is able to produce an acceptable specimen volume. If the employee refuses to do so, it will be treated the same as any other refusal to be tested, and may be interpreted as positive drug test result.

We may also require that you participate in a substance abuse rehabilitation or treatment program. If you violate this policy, there could also be legal consequences. For employees who are CDL drivers the U.S. Department of Transportation regulations will be followed.

If you have questions or concerns about substance dependency or abuse, you are encouraged to discuss these matters with your supervisor or the Employee Assistance Program to get help and referrals to community resources.

If you have a drug or alcohol problem, you may request unpaid time off to participate in a rehabilitation or treatment program through our health insurance benefit coverage, if your substance abuse problem has not already resulted in disciplinary action and you are not currently subject to immediate disciplinary action. We may approve the time off if you agree to stop using the problem substance; follow all NESL policies, or DOT regulations, where appropriate, and the prescriptions of the EAP, and rules relating to conduct at work; and if giving the time off will not cause NESL any undue hardship.

Under the Drug-Free Workplace Act, if you perform work for a government contract or grant, you must notify NESL if you have a criminal conviction for drug-related activity that happened at work. You must make the report within five days of the conviction.

If you have questions about this policy or issues related to drug or alcohol use at work, you can raise your concerns with your supervisor or direct manager/EAP without fear of reprisal. A comprehensive policy outlining NESL's stance on substance abuse can be found in the Human Resources Department.

Communications

In order that NESL may function on the best possible basis, it is important that you know what is going on in NESL, what is expected from you, and what changes may be coming in the future. To keep you up to date on all of these things, NESL has various methods of passing information. We promise to keep you as fully informed as possible.

Payroll Notices

From time to time, notices are printed on your pay stub or advice. These notices deal with items of immediate concern to you. Take the time to read these carefully, as they may have an importance to your particular situation.

Mailings

Occasionally, changes in policy or recent developments in NESL are explained to you through a mailing to your home. Read these at your leisure and share any important information with your family.

Bulletin Boards

Bulletin boards serve to keep you informed of current happenings inside of NESL and information necessary to your daily routine. They are one of your most important sources of information. Job openings, special events, and directives may be found there. Know where these bulletin boards are located and check them regularly for information you need to know.

All required State and Federal notices are also posted on "official" bulletin boards.

Newsletter- "The Enterpriser"

The newsletter is an important source of information to keep you informed of events and changes to benefits and policies. Please review each newsletter for important information and share it with your family.

Employee Relations Hotline

An employee relations hotline has been established as a communication tool that allows 24-hour access to the Human Resources and Safety Departments. The hotline number is 1-888-for-NESL (1-888-367-6375).

There is also an Anonymous Ethics Hotline available to employees, called Lighthouse. This hotline is available to report any employee relations-related issues. The number for Lighthouse is 1-855-900-0082.

Internet Website

A website has been established for NESL on the Internet. The address is www.nesl.com. The most current version of the Employee Handbook can be found on this website, under the 'Employee Login' tab.

Volunteer Activities

We, at NESL, are proud of the fact that many employees volunteer their services to the community such as fire or ambulance personnel, charitable or service organizations.

We also realize that at times it may be necessary for you to leave your workstation in the performance of those volunteer duties. In fulfillment of our commitment to contribute to the welfare of the entire community, it is in the best interest of NESL to allow these volunteers to leave work for these purposes.

If you leave your workstation, you must punch the time clock, and notify your supervisor, before leaving and upon returning. You should return as soon as possible after being released from the volunteer duties. Please use this benefit reasonably. NESL reserves the right to limit or prohibit the use of this benefit as necessary.

If you are a volunteer fire person, rescue worker, or ambulance attendant, and you wish to be given permission to be released from work for these duties, you must submit a letter to NESL from your Fire Chief or a designated official of the organization to NESL verifying the fact that you are an active member of that organization. The letter will be on file in the Human Resources Department for reference.

Workplace Violence Prevention

We are committed to preventing workplace violence and making NESL a safe place to work. This policy explains our guidelines for dealing with intimidation, bullying, harassment, violent acts, or threats of violence that might occur during business hours or on our premises at any time. You are expected to treat your customers, co-workers, including supervisors and temporary employees, with courtesy and respect at all times. You should not fight, bully, play tricks on others, horse play, or behave in any way that might be dangerous to other people.

NESL does not allow behavior at any time that threatens, intimidates, bullies, or coerces another employee, a customer, or a member of the public. This includes off-duty periods. We do not permit any act of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law. Bullying is a form of aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words or more subtle actions.

You should immediately report a threat of violence or an act of violence by anyone to your supervisor,

another member of management, or to the Ethics Hotline (Lighthouse). If you report a threat of violence, give every detail you can.

Be sure to immediately report any suspicious person or activities to a supervisor. Do not place yourself in danger. If you see or hear trouble or a disturbance near your work area, do not try to see what is happening or try to stop it.

We will promptly and completely investigate all reports of violent acts or threats of violence. We will also promptly and completely investigate all suspicious people and activities. We will protect the identity of a person who makes a report when practical. Until we have investigated a report, we may suspend an employee, either with or without pay, if we think it is necessary for safety reasons or to do the investigation. If you commit a violent act, threaten violence, or violate these guidelines in another way, you will be subject to disciplinary action, up to and including termination of employment.

If you are having a dispute with another employee, we encourage you to talk it over with your supervisor or a member of the Human Resources Department staff. NESL wants to help you work out problems before they become more serious and possibly violent. We will not retaliate against you for bringing these types of problems to our attention.

Substance Abuse Policy

NESL is committed to being a drug-free, healthful, and safe workplace. You are required to come to work in a mental and physical condition that will allow you to perform your job satisfactorily.

Substance screening is intended to determine the presence of any alcohol and/or the controlled substances. All employees and applicants for employment will be subject to substance screening under the circumstances described below:

- Upon accepting an offer of employment
- Randomly, except where excluded in a Collective Bargaining Agreement
- When reasonable evidence exists that an employee has reported to work under the influence of or impaired by a substance, or is working under the influence of or impaired by a substance

A refusal to submit to substance screening will be considered the same as a positive test result and will result in the employee being in violation of this policy and subject to discipline as outlined in the Substance Abuse Policy.

Employees are encouraged to review NESL's comprehensive Substance Abuse Policy. This policy is located in the Human Resources Department.

Employee Benefits

Set forth on the following pages is a brief description of NESL employee benefits programs. In the event of any conflict between the information contained in this Handbook and the information that appears in the master contracts/documents of insurance between NESL and its insurance carriers, the master contracts/documents shall govern in all cases.

For those employees who are members of a collective bargaining agreement, in the event of a discrepancy with the following benefit section, that collective bargaining agreement will govern for those employees covered by the collective bargaining agreement.

Beyond Your Paycheck

NESL has developed an excellent package of benefits for eligible employees. Although these benefits may vary slightly, they are part of your employment package and make up a significant portion of your compensation. These benefits are essential for your economic security. Know the benefits available to you.

Please contact the Human Resources Department for current employee health and welfare plan information or visit the NESL website at www.nesl.com, under the Employee Login section. More information about these plans is available in the Summary Plan Descriptions. You may make changes to your insurance enrollment only 1) when you are originally eligible for coverage and then annually or 2) if you have a significant "family status change" as defined by the Internal Revenue Service (i.e. birth, adoption, marriage, divorce.)

You may be eligible to some or all of the following benefits:

- Time away from work
 - Vacation
 - Holidays
 - Bereavement leave
- Retirement benefits
- Insurance benefits
 - Group medical/prescription
 - Life insurance
 - Vision insurance
 - Accidental death and dismemberment
 - Disability insurance
 - Dental insurance

Personal Leave of Absence

A leave of absence is defined as any request to be away from work for an extended period of time. A leave MAY be granted for up to six (6) weeks, whenever possible, for justifiable reasons. A written request for leave must be approved by the Vice President - Human Resources.

Each request for a leave is judged on its own merit and, if approved, your continuous service is not broken if you return to work on the agreed date.

When you are on leave for personal reasons, your payroll status is changed to "inactive" and insurance benefits end the first (1st) day of your leave. You may continue insurance coverage at your own expense under COBRA.

Employment elsewhere during your leave is not permitted without prior approval by NESL and will be seen as a voluntary termination of employment with NESL.

Hardship and other leaves are also handled after a formal request has been received by the Vice President of Human Resources and will be decided on a case by case basis. The employee will be required to provide updates to the Human Resource department every two weeks during the leave of absence. There will be no extensions for personal leaves.

Disability Leave

A disability leave must be accompanied with a doctor's statement that the leave is required and when it

should begin. Disability leave runs concurrent with the Family and Medical Leave of Absence Policy, if applicable.

Military Leave

NESL will grant a military leave of absence if you are absent from work because you are serving in the U.S. uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). You must give your supervisor advance notice of upcoming military service, unless military necessity prevents advance notice or it is otherwise impossible or unreasonable.

You will not be paid for military leave. However, you may use any available accrued paid time off, such as vacation or sick leave, to help pay for the leave.

Continuation of health insurance benefits is available as required by USERRA based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which you are otherwise eligible.

Your benefits, such as vacation, sick leave, or holiday benefits, will not accrue during a military leave. When you return from leave, the benefits will start accruing again.

If you are on military leave for up to 30 days, you must return to work on the first regularly scheduled work period after your service ends (allowing for reasonable travel time). If you are on military leave for more than 30 days, you must apply for reinstatement in accordance with USERRA and applicable state laws.

When you return from military leave (depending on the length of your military service in accordance with USERRA), you will be placed either in the position you would have attained if you had stayed continuously employed or in a comparable position. For the purpose of determining benefits that are based on length of service, you will be treated as if you had been continuously employed. If you have questions about military leave, contact Human Resources for more information.

Military Family Leave Provisions

The FMLA was amended by the National Defense Authorization in 2008 and again in 2010. This now provides two (2) leave entitlements that benefit military families.

Exigency Leave

Employees who are the spouse, son daughter, or parent of a military member may take up to 12 weeks of FMLA leave during any 12-month period to address the most common issues that arise when a military member is deployed to a foreign country, such as attending military sponsored functions, making appropriate financial and legal arrangements, and arranging for alternative childcare. This provision applies to the families of members of both the active duty and reserve components of the Armed Forces.

Military Caregiver Leave

Employees who are the spouse, son, daughter, parent or next of kin of a covered service member may take up to twenty-six (26) weeks of FMLA leave during a single 12-month period to care for the service member. The service member may be undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred or aggravated in the line of duty on active duty.

This provision applies to the eligible employees or family members of both the active duty and reserve

components of the Armed Forces.

Bereavement Pay

The policy on bereavement pay listed below applies to all NESL non-bargaining, Union-free regular full-time employees.

- You must be working on a full-time basis at the time of his/her death loss to qualify.
- The decedent must be a member of your immediate family. Immediate family is defined as a spouse, child, father, mother, brother, sister, father-in-law, mother-in-law, son in-law, daughter-in-law, step mother, step father, or step child. For immediate family members, you are eligible for three (3) paid workdays off between the date of death and the funeral. All corporate memorials will be authorized through the Human Resources Department.
- You are eligible for one (1) paid workday off to attend the funeral of a brother-in-law, sister-in-law, or your grandparent.
- If you are on vacation at the time of death, with proper notification, you will receive Bereavement Pay and may reschedule your remaining vacation days at the discretion of your supervisor.
- You must contact your immediate supervisor to ensure proper payment. Your supervisor will complete the Bereavement Pay Form and forward to the Human Resources Department.
- You will receive your regularly-scheduled work hours per day of bereavement at your current rate.
- Your bereavement pay will be included in the next regular pay cycle if proper notification is received.

Please contact the Human Resources Department at (814) 766-2211 if you have any questions.

Jury Duty

NESL considers jury duty to be your civic responsibility. Consequently, it is considered an excused absence. If you are called for jury duty, please notify your supervisor as soon as possible so any necessary arrangements can be made.

Family and Medical Leave of Absence Policy

The purpose of this policy is to outline the conditions under which an employee may request time off without pay for a limited period with job protection and no loss of accumulated service, provided the employee returns to work ¹.

Definitions

A Family and Medical Leave of Absence shall be defined as an approved absence available to eligible employees for up to twelve weeks of unpaid leave in a twelve-month period. The twelve-month period will be a "rolling back" method of computation where NESL will compute the twelve weeks of available leave from the date leave is requested to commence going backward twelve months. Leave may be taken:

- For the birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;

¹ Exception: If the employee on leave is a salaried employee and is among the highest paid ten percent of NESL's employees within seventy-five miles of your normal place of work, and keeping the job open for the employee would result in substantial economic injury to NESL, reinstatement to the employee on leave can be denied. In this situation, however, the employee may be given an opportunity to return to work.

- To care for a spouse, son, daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

As used in this policy, a child means a biological, adopted, or foster child; a legal ward; or a child of a person standing in place of the parent. The child must be under eighteen years of age. If a child over eighteen years of age is incapable of self-care because of a mental or physical disability, that child would also be included.

Scope

The provisions of this policy shall apply to all family and medical leaves of absence, except to the extent that such leaves are covered under other paid employment benefit policies for any part of the twelve weeks. In other words, employees must take any paid leave they have available first.

Employees are required to exhaust all accumulated paid vacation time and paid personal time prior to taking unpaid leave under this policy. The combined total of paid and unpaid leave is provided in accordance with this Family and Medical Leave of Absence policy and shall not exceed twelve weeks.

Eligibility

To be eligible for leave under this policy, an employee must have been employed for at least twelve months in total, and must have worked at least 1,250 hours during the twelve-month period immediately preceding the commencement of the leave. Additionally, you must work and/or report to a site with 50 or more employees within 75 miles from your normal place of work.

Basic Regulations and Conditions of Leave

NESL will require medical certification to support a claim for leave for an employee's own serious health condition or to care for a seriously ill child, spouse or parent. Medical certification needs to be returned within 15 days. If it is not returned within 15 days, medical leave can be denied on that basis. For the employee's own medical leave, the certification must include a statement that the employee is unable to perform the functions of his or her position.

1. For leave to care for a seriously ill child, spouse, or parent, the certification must include an estimate of the amount of time the employee is needed to provide care. At its discretion, NESL may require a second medical opinion and periodic recertifications at its own expense. If the first and second opinions differ, NESL, at its own expense, may require the binding opinion of a third health-care provider, approved jointly by NESL and the employee.
2. If medically necessary for a serious health condition of the employee or his/her spouse, child, or parent, leave may be taken on an intermittent or reduced leave schedule. If leave is requested on this basis, however, NESL may require the employee to transfer temporarily to an alternative position which better accommodates recurring periods of absence or a part-time schedule, provided that the position has equivalent pay and benefits.
3. Spouses who are both employed by NESL are entitled to a total of twelve weeks of leave (rather than twelve weeks each) for the birth of a child, adoption of a child, or for the care of a sick parent.
4. The right to take leave for the birth or adoption of a son or daughter expires twelve months after the birth or adoption with the employee.

Notification and Reporting Requirements

When the need for leave is foreseeable, such as the birth or adoption of a child, or planned medical treatment the employee must provide reasonable prior notice, and make efforts to schedule leave so as not to disrupt NESL's operations. In cases of illness, the employees will be required to report periodically on his/her leave status and intention to return to work.

It is the employee's responsibility to update the Human Resources Department every two weeks and provide medical documentation to update their condition.

Status of Employee Benefits During Family and Medical Leave of Absence

Any employee who is granted an approved unpaid leave under this policy will continue to receive group health insurance coverage and NESL will continue to pay the premium amount it was paying at the beginning of the leave during the approved period.

In the event that an employee elects not to return to work upon completion of an approved unpaid leave of absence, NESL may recover from the employee the cost of any payments made to maintain the employee's health insurance coverage, unless the failure to return to work was for reasons beyond the employee's control. Benefit entitlements based upon length of service will be calculated as of the last paid work day prior to the start of the unpaid leave of absence.

Procedures

To request leave under this policy, an employee must obtain a "Request for Family and Medical Leave of Absence Form" from the Human Resources Department. This form should be completed, signed by the employee, and returned to the Human Resources Department. If possible, the form should be submitted thirty days in advance of the effective date of the leave.

All requests for family and medical leave of absence due to illness must include the following information attached to a completed Request for Family and Medical Leave of Absence Form:

- The date on which the serious health condition commenced
- The probable duration of the condition
- The appropriate medical facts within the knowledge of the health care provider regarding the condition.

In addition, if the purpose of the leave is to care for a child, spouse, or parent, the certification should give an estimated amount of time that the employee is needed to provide such care. If the purpose of the leave is for the serious health condition of the employee, the certification must state that the employee is unable to perform the functions of his/her position. If the request is for intermittent leave or leave on a reduced schedule for planned medical treatment, the dates on which such treatment is expected to be given and the duration of such treatment must be stated.

When an employee returns from a leave taken because of the employee's serious health condition, NESL will require medical certification that the employee is able to resume work. The certification must state any necessary restrictions or accommodations.

Additional Leaves of Absence

NESL, in compliance with ADAAA and FMLA, may within its sole discretion, grant an employee a leave of absence in excess of the above-stated policy. Normally, an employee will have 12 weeks of FMLA and 26 weeks of short term disability, but any additional time beyond those benefits will need to be requested by

the employee to the NESL benefits department. At which time, NESL will begin the interactive process with the employee and will determine if the request can be accommodated or if the request will cause an undue hardship to NESL.

Vacation

Paid vacations are a benefit resulting from service to NESL. Lengths of vacations vary with time served and position within NESL. More specific information can be obtained from your supervisor or the Human Resources Department or by also viewing the Vacation and Sick Time Policy or the Paid Time Off Plan on the NESL website (www.nesl.com, under the Employee Login section).

Holidays

Paid holidays vary according to location (and/or a collective bargaining agreement) and may include the following: New Year's Day, Good Friday, Memorial Day, July Fourth, Labor Day, Thanksgiving and Christmas Day.

Retirement

More specific information concerning the NESL pension plans and other retirement plans can be obtained from the Human Resources Department. Please contact the Human Resources Department when you have determined your retirement date.

Employee Discount

NESL is desirous of providing an opportunity for all employees and retirees to purchase NESL produced goods and services at a discount. This is in recognition of the efforts of this group in making NESL the successful company it is today. Goods or services must be used at the employees or retiree's primary residence and is sold on a COD basis. All purchases must be paid by either cash or credit card at the time of purchase.

Substantial discounts are available to employees on all products and services of NESL. Details of these discounts, guidelines, and payment procedures can be secured upon request.

Expense Accounts/Reimbursement

Expense accounts are for the purpose of reimbursing you for monies expended in conducting NESL business. All expenses to be reimbursed must be substantiated by bills or receipts. All reimbursements need to be approved by the individual's supervisor and will be reviewed for compliance with NESL policy.

Benefits Continuation (COBRA)

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

Under COBRA, the employee or beneficiary pays the full cost of coverage at NESL's group rates plus an

administration fee. NESL provides each eligible employee with a written notice describing the rights granted under COBRA when the employee becomes eligible for coverage under NESL's health insurance plan. The notice contains important information about the employee's rights and obligations.

Employee Assistance Program

NESL recognizes that an employee may need some assistance with a personal problem. We have established an Employee Assistance Program (EAP) to help employees that need such assistance. Information can be obtained through the Human Resources Department.

Employee/EAP discussions are absolutely confidential and are not relayed to NESL.

General NESL Work Rules

The main business of NESL, is to deal fairly and satisfactorily with customers, provide secure and safe employment for the work force, and expand opportunities for growth and profit for NESL. In order to do business, it is sometimes necessary to deal with problems in the workplace. Because of this, certain guidelines and rules of conduct must be followed to ensure that you, NESL, and the customer are all being given the best possible opportunity to succeed and prosper.

The General NESL Work Rules outline some of the more important regulations we feel need to be followed. These rules do not cover every possibility, but do establish certain priorities we think are important and some of the actions we will take in dealing with major infractions.

As an employee of NESL you are expected to perform your job duties safely and within a standard of conduct and performance. Failure to follow these standards can result in progressive disciplinary action.

When an employee appears to have violated any of the policies or the rules of employment and informal procedures to resolve the problem have been ineffective, the supervisor should take disciplinary action. When taking such action, the supervisor should consider all relevant facts and information and any mitigating circumstances. Generally, there are four levels of discipline, which may be applied:

1. Warning- A verbal warning may be given in cases where, for example, a disruption in established work routine occurs without sufficient justification.
2. Written Reprimand- A written reprimand is a formal statement, which becomes part of the employee's permanent personnel file. This action may be taken, for example, where disruptions in the workplace occur, where an employee fails to follow proper work routines, or business practices where infractions could lead to suspension or dismissal, if repeated.
3. Suspension- Suspension may be imposed, for example, when an employee has failed to perform to acceptable standards following a warning or other management action. Suspension may also be imposed when there is a need to remove the employee from the workplace to perform an investigation or to protect the health, safety, and welfare of others.
4. Discharge- Discharge is the most serious action, which can be taken, and will normally be imposed when the infraction is so serious that no less severe course of action is deemed appropriate. It may be imposed after all other courses of action have been attempted, or when previous experience, or the employee and/or circumstances so warrants that there is no expectation of future improvement based on previous experience.

The practice of using progressive discipline is not intended to restrict the rights of management to terminate employment at any time, for any reason.

Depending upon the nature, frequency or severity of the violation, management may proceed to use any one or all of the steps listed above, as deemed appropriate.

You should be aware that there are certain major offenses, which may result in an immediate suspension, probation or discharge without any prior discipline. In other words, if you commit a major offense, all or part of the progressive discipline procedure may be omitted, at NESL's discretion.

Severe consequences may result if you commit major offenses, such as but not limited to, the following:

- Deliberate failure to carry out instructions or insubordination.
- False, fraudulent, misleading, or harmful statements about NESL to its customers or contractors.
- False, fraudulent, misleading or harmful statement, action, or omission related to an employment application or any other information provided to or in response to a request for business information by NESL, whether oral or written; or refusal or failure to timely provide such information following a request.
- Unauthorized use of, removal of, theft or damage to the property of NESL, another employee, independent contractor, or customer.
- Using language to anyone on NESL premises that is illegal under either criminal or civil law.
- Violations of safety policies and practices.
- Excessive absences, unreported absences, absences without justification, or excessive tardiness.
- Possession of any weapon while on NESL property without authorization from NESL is prohibited. The term weapon will include but not limited to nunchaku stick, brass or metal knuckles, firearm, shotgun, rifle, bb or pellet gun, chemical agent, explosive device and/or any instrument which is designed in order to inflict serious bodily injury.
- Bringing onto the work site, premises or property, having possession of, being under the influence of or consuming, using or transferring, selling or attempting to sell any form of alcohol, on NESL property, whether or not on duty.
- Bringing onto the work site, premises or property, having possession of, having present in the body systems, being under the influence of or consuming, using or transferring, selling or attempting to sell any form of narcotic, depressant, or stimulant, hallucinogen, or any mind perception altering drug or substance (except prescribed drugs used consistent with and under the direction of a physician and to the extent that it does not impair job performance or threaten safety, health, security or property), whether or not on duty, NESL business or NESL premises, property, or job sites.
- Organized gambling, disorderly or immoral conduct while on NESL premises, property, or job sites.
- Unauthorized holding of a second job or any other conflicts of interest.

Serious Safety Violations:

Serious safety violations are those where potential for serious injury or death are highly likely if company safety rules and procedures are not followed or reckless behavior occurs. Any employee who intentionally or unintentionally violates safety rules, including the NESL "Safety Absolutes," or engages in reckless behaviors will be subject to disciplinary action up to and including termination on the first offense.

Senior management will review each event or situation and provide a recommendation to executive management regarding appropriate disciplinary action. The senior management review team will consist of the following:

- Vice President of applicable Business line or Department
- Vice President of Human Resources
- Vice President of Safety
- Vice President of Risk Management
- President of Operations

WORKERS' COMPENSATION

Workers' Compensation Employee Notification

Workers' Compensation is designed to provide wage loss benefits and reimbursement for reasonable medical care for an employee who is injured on the job. NESL shall provide payment for reasonable surgical and medical services, services rendered by physicians or other health care providers, medicines and supplies, as and when needed.

NESL, in compliance with the Workers' Compensation Act, has posted a physician panelist of at least six (6) medical providers from which you are to select. You are to obtain treatment from one of those providers for ninety (90) days from the date of your first visit.

If you are faced with an immediate medical emergency, you may secure assistance from the closest hospital, physician or other health care provider of your choice. If follow up treatment is needed, you must then seek treatment from a physician or other health care provider listed on NESL's physician panel list for the first ninety (90) days from the date of your first treatment.

If during the initial 90-day period you wish to change medical providers, you must once again re-visit your employer's physician panel and select a new physician. If you do not seek treatment from a provider on the physician panel list for the initial 90 days following your first visit, your employer will not have to pay for the services rendered.

If one of the listed providers recommends invasive surgery, you are entitled to a second opinion from a physician of your choice. Should your physician's opinion differ, and you choose that opinion, the panel physician will abide by same for 90 days.

After the initial 90-day period, if additional or continued treatment is needed, you may now choose to go to another physician or health care provider of your choice. Should you decide to change providers, you must notify NESL within five (5) days of your first visit with your new provider. Failure to notify NESL will relieve NESL of the responsibility for the payment of the services rendered if such services are determined to have been unreasonable or unnecessary.

Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

Workers' Compensation Employee Notice

- (1) The workers' compensation law provides wage loss and medical benefits to employees who cannot work, or who need medical care, because of a work-related injury.
- (2) Benefits are required to be paid by NESL when self-insured, or through insurance provided by NESL. NESL is required to post the name of the company responsible for paying workers' compensation benefits at its primary place of business and at its sites of employment in a prominent and easily accessible place, including, without limitation, areas used for the treatment of injured employees or for the administration of first aid.
- (3) You should report immediately any injury or work-related illness to NESL.
- (4) Your benefits could be delayed or denied if you do not notify NESL immediately.
- (5) If your claim is denied by NESL, you have the right to request a hearing before a workers' compensation judge.
- (6) The Bureau of Workers' Compensation cannot provide legal advice. However, you may contact the Bureau of Workers' Compensation for additional general information at: Bureau of Workers' Compensation, 1171 South Cameron Street, Room 103, Harrisburg, Pennsylvania 17104-2501; telephone number within Pennsylvania (800) 482-2383; telephone number outside of this Commonwealth (717) 772-4447; TTY (800) 362-4228 (for hearing and speech impaired only); www.state.pa.us, PA Keyword: workers comp.

Return a copy of this page, with your signature which indicates that you understand your rights and duties under the above provisions of the Workers' Compensation Act.

I hereby acknowledge that I have been informed of and understand my rights and duties under the Workers' Compensation Act.

Employee Signature _____

Printed Name _____ Date _____

Within Five Days Return To:

New Enterprise Stone & Lime Co., Inc.

Attn: Workers Compensation Administrator

PO Box 77

New Enterprise, PA 16664

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EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about New Enterprise Stone & Lime Co., Inc. I understand that I should consult Human Resources if I have any questions that are not answered in the employee handbook.

I became an employee at New Enterprise Stone & Lime Co., Inc. voluntarily. I understand and acknowledge that there is no specified length to my employment at New Enterprise Stone & Lime Co., Inc. and that my employment is at will. I understand and acknowledge that "at will" means that I may terminate my employment at any time, with or without cause or advance notice. I also understand and acknowledge that "at will" means that New Enterprise Stone & Lime Co., Inc. may terminate my employment at any time, with or without cause or advance notice, as long as they do not violate federal or state laws.

I understand and acknowledge that there may be changes to the information, policies, and benefits in the employee handbook. I understand that New Enterprise Stone & Lime Co., Inc. may add new policies to the handbook as well as replace, change, or cancel existing policies. I understand that I will be told about any employee handbook changes and I understand that employee handbook changes can only be authorized by the chief executive officer of New Enterprise Stone & Lime Co., Inc.

I understand and acknowledge that this employee handbook is not a contract of employment or a legal document. I have received the employee handbook and I understand that it is my responsibility to read and follow the policies contained in this employee handbook and any changes made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____