



Employee Handbook

Revised April 2022



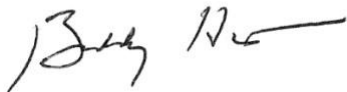
A Letter from the CEO

It's with great pleasure that I welcome you to the ESS family of companies!

As a member of our staff, you are a part of a company that is proud of its accomplishments –ones that have made it an outstanding national provider of educational staffing. ESS, as an employer, is committed to providing an environment that is conducive to carrying out our mission. Whether you have just joined our staff or have been with ESS for a while, we are confident that you will find our organization to be a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. We consider the employees of ESS to be one of its most valuable resources.

For our valued employees, we strive to administer our policies, as well as our benefit and compensation programs, in a manner that is competitive, fair and understandable. This Handbook intends to communicate terms and conditions of employment that apply to each of us as we carry out our important responsibilities. The policies, benefits, and services detailed herein reflect a concern not only for the well-being but also for the personal growth and development of all our employees. This handbook has been written to serve as the guide for the employer/employee relationship.

While this Handbook provides important information relative to all aspects of your employment at ESS, it cannot be used as the basis for all decisions. To that end, I encourage you to consult with your Supervisor or any member of our Human Resources staff should you need any additional guidance.



Buddy Helton
CEO

Table of Contents

Employment Policies	6
At-Will Employment-Employment Relations	6
Recruitment for Diversity	6
Employment Eligibility	7
Anti-harassment and anti-discrimination Policy and Complaint Procedure	7
Harassment & Discrimination Overview.....	7
Workplace Bullying	7
Sexual Harassment	8
Individuals and Conduct Covered	9
Complaint Process	9
Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)	10
Gender Equity Notice	10
Electronic Communication and Internet Use	11
Right to Monitor	12
Social Media Participation and Conduct off the Job	12
Using Social Media at Work	12
Security Access	14
Workspace	14
Use of School Property	14
Solicitations, Distributions and Posting of Materials	15
Separation of Employment.....	15
Return of Company Property	16
Rehire	16
Employee Personnel Files	17
Personnel Data Changes	17
Workplace Expectations	17
Confidentiality.....	17
Photography/Video Recording.....	18
Professionalism	18
Standards of Conduct and Behavior	18
Student Contact	18
Student Supervision	20

Use of Audio-Visual Equipment in the Classroom (Films, Movies, and Television)	<u>20</u>
Classroom Discussions	<u>20</u>
Planning/Prep Periods	<u>20</u>
Conflicts of Interest	<u>20</u>
Political Activities	<u>21</u>
Religion in the Public Schools	<u>21</u>
Employment of Relatives	<u>21</u>
Personal Cell Phone Use	<u>22</u>
Photo ID Badges	<u>22</u>
Employment and Substitute Assignments	<u>22</u>
Cancelling Assignments	<u>23</u>
No Call/ No Show Policy	<u>23</u>
Tardiness	<u>23</u>
Daily Substitute Assignments	<u>24</u>
Half-Day VS. Full-Day Assignments	<u>24</u>
Placement Errors	<u>24</u>
Attire and Grooming	<u>25</u>
Transportation	<u>25</u>
Disciplinary/Corrective Action	<u>25</u>
Insubordination	<u>27</u>
Job Abandonment	<u>28</u>
Training	<u>28</u>
Compensation & Benefits	<u>28</u>
Employment Classifications	<u>28</u>
Payment of Wages	<u>29</u>
Pay Deductions	<u>29</u>
Time Keeping	<u>29</u>
Meal/Rest Periods	<u>30</u>
PTO/Sick Pay	<u>30</u>
Jury Duty	<u>30</u>
Family and Medical Leave Act (FMLA)	<u>30</u>
General Provisions	<u>31</u>
Eligibility	<u>31</u>

Type of Leave Covered	<u>31</u>
Amount of Leave	<u>33</u>
Employee Status and Benefits During Leave	<u>34</u>
Employee Status After Leave	<u>34</u>
Use of Paid and Unpaid Leave	<u>34</u>
Intermittent Leave or a Reduced Work Schedule	<u>34</u>
Recertification	<u>35</u>
Procedure for Requesting FMLA Leave	<u>35</u>
Designation of FMLA Leave	<u>35</u>
Intent to Return to Work from FMLA Leave	<u>35</u>
Military Leave of Absence	<u>35</u>
Personal Leave of Absence.....	<u>36</u>
Same-Sex Marriages, Civil Unions and Domestic Partners.....	<u>36</u>
Voluntary Employee Benefits.....	<u>37</u>
COBRA	<u>38</u>
401(k) Plan	<u>38</u>
Lactation/Breastfeeding	<u>39</u>
Workplace Safety	<u>39</u>
Drug-Free Workplace	<u>39</u>
Smoke-Free Workplace	<u>39</u>
Weapons-Free Workplace	<u>40</u>
Criminal History	<u>40</u>
Violence in the Workplace.....	<u>41</u>
Safety	<u>41</u>
Workers' Compensation Benefits	<u>42</u>
Reporting Workplace Accidents/Injuries	<u>42</u>
Unemployment Insurance.....	<u>43</u>
Employment Verification	<u>43</u>
Disclaimer	<u>43</u>

Employment Policies

At-Will Employment-Employment Relations

I understand and agree that nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and that employment at ESS (“ESS”) is employment at will, which may be terminated at the will of either ESS or myself. Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. Accordingly, either I or ESS can terminate the relationship at will, with or without cause, at any time, so long as there is not violation of applicable federal or state law.

The policies and rules described in this Handbook are effective as of the date of the issuance of this Handbook and your acknowledgement of the receipt of the same. This Handbook, as well as its attachment and all subsequent revisions, supersedes and/or replace all policies, regulations, Handbooks, and Handbooks issued previously.

Please understand that ESS also reserves the right, in its sole discretion, to amend, modify, change, cancel, terminate or withdraw any or all of policies, regulations, benefits, sections and provisions of this Handbook at any time, unilaterally, with or without prior notice, in its sole discretion.

No representative of ESS has the authority to enter into any agreement for employment for any specified period of time, to guarantee any particular position for any specified period of time, or to make any promises with respect to compensation, promotional opportunities, or any other term or condition of employment

ESS operates in several states within the US. State, local, and federal employment laws change with some frequency, either as a result of a judicial decision or new legislation or regulations. Our Handbook may not always reflect the very latest requirements. Should the policies in this Handbook conflict with state, local or federal laws, the state, local or federal laws will supersede our policy. Any questions should be directed to our Human Resources Department.

Recruitment for Diversity

ESS is committed to employing a diverse staff. Employment decisions by ESS are based on job-related qualifications and experience in accordance with legal obligations. ESS will continue to recruit and hire from a diverse pool of qualified applicants. ESS makes this possible by asking each employee to complete an Equal Employment Opportunity form and other forms as required to comply with various rules and regulations.

ESS provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. ESS complies with applicable state and local laws governing nondiscrimination in employment in every location in which ESS has facilities. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Employment Eligibility

ESS employs only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate based on citizenship or national origin. In order to comply with the Immigration Reform and Control Act of 1986, each employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility within three (3) business days of being hired. Former employees who are rehired must also complete the form if they have not completed an I-9 with ESS within the year, or if their previous I-9 is no longer retained or valid. ESS participates in E-Verify as required by state law.

Anti-harassment and Anti-discrimination Policy and Complaint Procedure

ESS is committed to a work environment in which all individuals are treated with respect and dignity. Everyone has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, ESS expects that all relationships among persons in the office will be business-like and free of bias, prejudice, and harassment.

Harassment and Discrimination Overview

By definition, harassment is “aggressive pressure or intimidation.” Therefore, there are a variety of behaviors expressed and situations created that can be considered harassment. Harassment can be tied to race, color, religion, gender, sexual orientation, national origin, age, genetic information, disability, or veteran status.

Discrimination is defined as “the unjust or prejudicial treatment of different categories of people or things, especially on the grounds of race, age, or sex. “

ESS expressly prohibits any form of unlawful employee harassment or discrimination based on any of the aforementioned categories. Improper interference with the ability of ESS employees to perform their expected job duties is prohibited and will not be tolerated and may result in disciplinary action up to termination.

ESS encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of ESS to promptly and thoroughly investigate such reports. ESS prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

Workplace Bullying

ESS defines bullying as “repeated inappropriate behavior, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment.” Such behavior violates ESS Code of Conduct, which clearly states that all employees will be treated with dignity and respect.

The purpose of this policy is to communicate to all employees, including managers and executives, that ESS will not tolerate bullying behavior. Employees found in violation of this policy will be disciplined up to and including termination.

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual that is important. ESS considers the following types of behavior examples of bullying:

- **Verbal bullying:** Slandering, ridiculing, or maligning a person or his/her family; persistent name calling that is hurtful, insulting or humiliating; using a person as the butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault, or threat of physical assault; damage to a person's work area or property.
- **Gesture bullying:** Nonverbal threatening gestures or glances that convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission to such conduct is made (either explicitly or implicitly) a term or condition of an individual's employment.
- b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment based on any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written, or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, sexual orientation, national

origin, age, disability, marital status, citizenship, genetic information or any other characteristic protected by law or that of his/her relatives, friends or associates, and that:

- a) Has the purpose or effect of creating an intimidating, hostile or offensive work environment.
- b) Has the purpose or effect of unreasonably interfering with an individual's work performance;
or
- c) Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward an individual or group and that is placed on the employer's premises or circulated in the workplace, on company time or using company equipment via e-mail, phone (including voice messages), text messages, tweets, blogs, social networking posts or other means.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to ESS (e.g., an outside vendor, consultant, or customer).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Complaint Process

Individuals who believe they have been the victims of conduct prohibited by this policy statement or who believe they have witnessed such conduct should discuss their concerns with their immediate manager, Human Resources or any member of management.

When possible, ESS encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. ESS recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

ESS encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Retaliation against an individual for

reporting harassment or discrimination, or for participating in an investigation of a claim of harassment or discrimination, is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

If a party to a complaint does not agree with its resolution, that party may appeal to the Senior Vice President of HR, or the CEO.

False and malicious complaints of harassment, discrimination or retaliation may be the subject of appropriate disciplinary action.

Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that, when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of ESS to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities regarding application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

ESS will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so:

- a) Causes a direct threat to these individuals or others in the workplace,
- b) The threat cannot be eliminated by reasonable accommodation, and/or
- c) If the accommodation creates an undue hardship to ESS.

Please contact the Human Resources department with any questions or requests for accommodation.

Gender Equity Notice

ESS is committed to gender equality. Federal and state laws prohibit employers from discriminating against an individual with respect to his/her pay, compensation, benefits, or terms, conditions or privileges of employment because of the individual's sex.

- **Title VII of the Civil Rights Act of 1964** prohibits employment discrimination based on, among other things, an individual's sex. Title VII claims must be filed with the United States Equal Employment Opportunity Commission (EEOC) before they can be brought in court. Remedies under Title VII may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.
- **The Equal Pay Act of 1963 (EPA)** prohibits discrimination in compensation based on sex. EPA claims can be filed either with the EEOC or directly with the court. Remedies under the EPA may include the amount of the salary or wages due from the employer, plus an additional equal amount as liquidated damages.

Please be mindful that in order for a disparity in compensation based on sex to be actionable under the EPA, it must be for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions.

Electronic Communication and Internet Use

ESS expects employees to use the following guidelines pertaining to the appropriate and professional use of Internet, company systems, company-provided cell phones and e-mail. Please refer to IT Policy listed in the Resources tab in ESS HRIS for full policy details:

- Internet, company-provided equipment (e.g., cell phone, laptops, and computers), services and systems may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing or pornographic nature.
- Employees are expected to maintain professionalism in their communications and actions in the course of performing their assigned role with ESS. The following actions are considered inappropriate and are subject to disciplinary action: using disparaging, abusive, profane or offensive language; creating, viewing or displaying materials that might negatively reflect upon customers or a member of the public, or be contrary to customer's best interests; and engaging in any illegal activities, including piracy, extortion, blackmail, copyright infringement, and unauthorized access of any computers and company-provided equipment such as cell phones and laptops.
- Employees should comply with all copyright laws and should not copy, retrieve, modify or forward copyrighted materials, except with permission or as a single copy to reference only.
- Employees are prohibited from sending or receiving files that are not related to work.
- Suspicious e-mails, pop-ups or downloads should not be opened by employees. Contact IT Support with any questions or concerns to reduce the release of viruses or to contain viruses immediately at ITSupport@ESS.com.
- Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside ESS.

Right to Monitor

All company-supplied technology and company-related work records belong to ESS and not to the employee. ESS routinely monitors use of company-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

Social Media Participation and Conduct off the Job

ESS has a duty to protect itself, using its own judgement, from unauthorized disclosure of information and from comments that may be detrimental to ESS and our school districts. This social media participation policy includes rules and guidelines for social networking authorized by ESS, as well as personal social networking. The policy applies to all employees of ESS.

Social media includes all means of communicating or posting information or content of any sort on the internet, including to the employee's own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or chat room, whether or not associated or affiliated with ESS, as well as any other form of electronic communication, including, but not limited to, video or wiki postings, sites such as Facebook, Instagram and Twitter, personal blogs, or other similar forms of online journals, diaries, or personal newsletter not affiliated with ESS (referred to collectively as "Social Media or Social Networking").

The same principles and guidelines found in ESS policy apply to an employee's activities online. Ultimately, the employee is solely responsible for what he or she posts online. An employee's conduct that adversely affects his or her job performance, the performance of fellow employees or otherwise adversely affect employees, customers, suppliers, or ESS' legitimate business interests may result in disciplinary action up to and including termination.

ESS respects the right of employees to write blogs and use Social Networking sites. ESS does not want to discourage employees from self-publishing and self-expression and does not discriminate against employees who use these media for personal interests, affiliations or other lawful purposes. Employees must carefully read these guidelines as well as other Company policies including, but not limited to, Confidentiality Policy, Electronic Communication and Internet Use, and Anti-Harassment Policy, and ensure their postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject the employee to disciplinary action up to and including termination.

Using Social Media at Work

Employees are expected to refrain from using social media while on work time or on Company provided equipment unless it is work-related as authorized by the employee's manager. Employees are not to use ESS email addresses to register on social networks, blogs or other online tools utilized for personal use.

No employees are authorized to modify content for the any of ESS' websites located on www.ESS.com, and/or the social networking entries located on ESS' websites. All employees must

identify themselves as employees of ESS when posting comments or responses on the social networking sites.

Guidelines

- a. Employees are expected to be fair and courteous to fellow employees, vendors and/or Client school districts, keeping in mind that the employee is requested to resolve work-related complaints by speaking directly with his or her co-workers or manager than by posting complaints to a social media outlet. Nevertheless, if employee decides to post complaints or criticism, they are to avoid using statements, photographs, video or audio that reasonably could be viewed as obscene, threatening or intimidating, or that disparages clients or vendors, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts that could contribute to a hostile work environment based on race, sex, disability, religion, or any other status protected by law or Company policy.
- b. Employees must always be honest and accurate when posting information or news, and if a mistake is made, it must be corrected quickly. Employees must be open about any previous posts they have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Employees must never post any information or rumors that they know to be false about ESS, fellow employees, clients, vendors, or competitors.
- c. Employees must be careful to maintain the confidentiality of Company trade secrets, copyright, and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures, financial information, or other internal business-related confidential communications.
- d. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- e. Employees must not create a link from their blog, website, or other social networking site to a Company website without identifying themselves as a Company employee and securing prior authorization from ESS.
- f. An Employee must never represent themselves as a spokesperson for ESS without prior, written authorization. If ESS is a subject within the content an employee is creating, he or she must be clear and open about the fact that he or she is an employee and that their views do not represent those of ESS, fellow employees, clients, vendors, or people working on behalf of ESS. If an employee publishes a blog or post online related to the work they do or subjects associated with ESS, it must be made clear that they are not speaking on behalf of ESS. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of ESS”.
- g. Be careful not to post or use a picture or likeness of a manager, co-worker, vendor, or client without that individual’s express advance permission, unless the picture or recording of someone is in furtherance of an activity protected by the NLRA.

- h. Employees are cautioned that they should have no expectation of privacy while using the internet. Employees' postings can be reviewed by anyone, including ESS. ESS reserves the right to monitor comments or discussions about ESS, its employees, clients, and the industry, including products and competitors, posted on the Internet by anyone, including employees and non-employees. ESS may use blog-search tools and software to monitor forums such as blogs and other types of personal journals, diaries, personal and business discussion forums, and Social Networking sites.
- i. ESS reserves the right to use content management tools to monitor, review or block content on Company blogs that violate Company blogging rules and guidelines.
- j. ESS requests and strongly urges employees to report any violations or possible or perceived violations to managers or Human Resources. Violations include discussions of client school districts, and any discussion of proprietary information and any unlawful activity related to blogging or social networking.
- k. ESS prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.
- l. Employees engaging in use of social media, social networking and blogging activities are subject to all of ESS policies and procedures, including this Social Media Policy.

Violations of this policy or any other ESS policies may result in disciplinary action, up to and including termination of employment.

Security Access

Employees, in the course of their job performance, may be assigned badges, equipment, keys, and passwords. Desks, file cabinets, computers, computer products, voicemail, email, written and software materials are district property and must be appropriately used according to district policies. Upon completion of an assignment, all property is to be returned to the district and district access will be removed.

Workspace

Employees are responsible for maintaining the workspace assigned to them whether it be a classroom, resource room, desk, or other location assigned by ESS or the District. A clean, orderly workspace provides an environment conducive to working efficiently. Employees should keep in mind that their workspace is part of a professional environment that portrays ESS' overall dedication to providing quality service to its clients. Therefore, your workspace should be clean, organized and free of items not required to perform your job.

Use of School Property

Substitute Employees are responsible for school equipment, supplies, books, furniture, and apparatus under their care and use. Substitute Employees shall immediately report any property that is damaged, lost, stolen, or vandalized to the main office of the school. No substitute employee shall

perform personal services for themselves or for others for pay or profit during work time and/or using District property or facilities

Solicitations, Distributions, and Posting of Materials

ESS prohibits the solicitation, distribution and posting of materials on or at company property by any employee or nonemployee, except as may be permitted by this policy. The sole exceptions to this policy are charitable and community activities supported by ESS' management and company-sponsored programs related to ESS' services. Nothing in this section prohibits employees from discussing terms and conditions of employment.

Provisions:

- Non-employees may not solicit employees or distribute literature of any kind on company premises at any time.
- Employees may only admit non-employees to work areas with management approval or as part of a company-sponsored program. These visits should not disrupt workflow. An employee must always accompany the non-employee. Former employees are not permitted onto company property except for official company business.
- Employees may not solicit other employees during work times, except in connection with a company-approved or sponsored event.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a company-sponsored event

Separation of Employment

Separation of employment within an organization can occur for several different reasons.

- **Resignation:** Although we hope your employment with us will be a mutually rewarding experience, we understand that varying circumstances cause employees to voluntarily resign employment. Resigning employees are required to provide two weeks' notice, in writing to facilitate a smooth transition out of the organization. Any employee providing less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.
- **Job abandonment:** Employees who fail to report to work or contact their manager for three (3) consecutive workdays shall be considered to have abandoned the job without notice, effective at the end of their normal shift on the third day. The manager shall notify the Human Resource department at the expiration of the third workday and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible for rehire.
- **Termination:** Employees of ESS are employed on an at-will basis, and ESS retains the right to terminate an employee at any time. It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are **examples** of infractions of rules of conduct that are strictly prohibited and are grounds for immediate dismissal:

- Theft or possession of company or client property
- Falsification of timekeeping records, IDs, documents or false statements or misrepresentations during the application process
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Physical contact with a student
- Negligence or improper conduct leading to damage of client-owned or company owned property or endangerment of others
- Insubordination or other disrespectful conduct
- Sleeping on the job or completing personal tasks while on the job
- Violation of safety or health rules
- Sexual or other unlawful or unwelcome harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms
- Excessive absenteeism or any absence without notice
- Failure to follow all policies and procedures listed in this handbook
- Unauthorized absence from work area during the workday
- Refusal to participate in a Company sponsored investigation or requested drug-test
- Conduct which ESS believes reflects adversely on the employee or ESS

Return of Company Property

The separating employee must return all company property at the time of separation, including cell phones, keys, PCs and identification cards.

Rehire

Former employees who left ESS in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resource department, and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

An applicant or employee who is terminated for violating policy or who resigned in lieu of termination from employment due to a policy violation will be ineligible for rehire.

Employee Personnel Files

Employee files are maintained by the Human Resources department electronically and are considered confidential. Managers may only have access to personnel file information on a need-to-know basis.

Personnel file access by current and former employees will generally be permitted within three days of a written request unless otherwise required under state law. Personnel files are to be reviewed in the Human Resources department. Personnel files may not be taken outside the department.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to file information.

Note: Please be advised that company policy may be subject to state requirements, including potential requirements to provide copies of personnel files.

Personnel Data Changes

ESS strives to maintain accurate personnel data and employee status information. The payroll department is dependent upon employees to report timely and accurate status information to the Human Resources Department. Employees are responsible for reporting changes such as personal mailing addresses, telephone numbers, email addresses, names of dependents, emergency contacts, educational accomplishments, and other such status changes. Status reports should always be current and accurate. Please contact the Employee Engagement Department to notify them of any changes.

Workplace Expectations

Confidentiality

Our school districts and other parties with whom we do business entrust ESS with important information relating to their businesses. It is our policy that all information considered confidential will not be disclosed to external parties or to employees without a “need to know.” If an employee questions whether certain information is considered confidential, he/she should first check with his/her immediate manager.

This policy is always intended to alert employees to the need for discretion and is not intended to inhibit normal business communications. Such information, regardless of whether the information is defined or labeled as confidential, must be treated as confidential and must not be disclosed to any other person, without consent from the actual employee.

Confidential information includes, but is not limited to, health or medical records, student records, disciplinary matters, company policies and procedures, etc. If you have any questions regarding what information is confidential or how to handle information which you obtained, please contact Human Resources.

As an ESS employee all questions or concerns should be directed to ESS Management solely. It is never appropriate to reach out directly to any School District Employee.

Photography/Video Recording

Due to privacy concerns, personally owned recording devices are not to be used to create video or audio recordings or to take pictures or “selfies” while on duty or working with students. Such devices include, but are not limited to, personal cell phones, cameras, and tablets.

Professionalism

Employees must recognize that they are representatives of ESS and are expected to always present themselves and ESS in a positive and professional manner. This includes, but is not limited to, ESS workplace, visiting of school districts, during school district meetings, and while attending professional organization or industry conventions and meetings. Examples of inappropriate behavior include but are not limited to: the use of profanity, discussion of adult activities, disparaging remarks regarding ESS while in ESS of students, clients, teachers, district administrators, parents, and substitutes. If an employee does not maintain this professionalism, it is the discretion of management to investigate and apply disciplinary action as appropriate including termination of employment.

Standards of Conduct and Behavior

Standards of conduct and behavior have been established so that employees know what ESS expects of them. These standards outline conduct expected and conduct which may result in disciplinary action. ESS reserves the right to act based on what it deems to be appropriate in any given situation. These standards are not all-inclusive and other conduct that is not listed may result in disciplinary action, up to and including termination of employment. Action may be taken as a result of either improper conduct or a lack of performance. Improper conduct applies to a problem that is a result of behavior. A lack of performance is the result of a failure to meet expected job performance.

These standards do not form a contract of employment nor should employees have any expectations that such standards form a contract. Employment with ESS is at will and can be terminated for any reason at any time, with or without cause or for no cause. The decision as to what action will be taken rests with Company management and is made on a case-by-case basis. ESS reserves the right to change, alter, or abolish these guidelines at any time without prior notice. The following is a non- exhaustive listing of the types of employee conduct that may result in disciplinary action up to and including termination.

Student Contact

ESS believes it is imperative to reinforce the long-standing policy on “Physical Contact” with students by substitute employees. This policy was developed not only to ensure a safe classroom and school environment for students but also to protect ESS substitute employees.

Specifically, the ESS Policy, “Physical Contact” with students, reminds substitutes that their role is different than the regular classroom teacher and support staff. The student’s perception of what may be considered “innocent physical contact” (e.g., pat on the shoulder, arm, head, handshake, etc.) may make the student feel uncomfortable or offended. ESS substitutes must always be aware and respect the student’s physical space and perception – and for the most part, they must refrain from physical contact.

A major component of the ESS Training Program for substitute teachers and paraprofessionals emphasizes the importance of addressing “**Limited Physical Assistance**” contact with students. Below are some specific guidelines to assist ESS substitutes with this critical and sensitive topic:

- Physical contact is a common concern when working with younger children (e.g., Pre-K – 3), who may attempt to demonstrate some form of physical connection (e.g., hugging) with substitute teachers and paraprofessionals. This may be considered an acceptable pattern of behavior with the regular classroom teacher and paraprofessional. However, substitutes must avoid this type of action, which may be perceived as inappropriate and make the student feel uncomfortable.
- No ESS substitute employee shall physically touch a student in any manner (e.g., slap, punch, pinch, stroke, push, grab, hug, kiss, fondle, etc.) or touch any student in a private area of his/her body.
- ESS employees should use strong verbal directives to manage inappropriate student behaviors and refrain from physical contact with students.
- ESS employees must immediately request assistance from regular classroom teachers, school administrators, or other school support staff for physically disruptive students.
- ESS employees who have observed or suspect that improper student physical contact has occurred must immediately report these incidents to ESS and the school's administration.

ESS realizes there may be unique situations that require “**Limited Physical Assistance**” for younger students and students with special needs. In these situations, the following guidelines will assist you in performing your responsibilities as a substitute teacher or paraprofessional:

- If you are assigned to a preschool program with two and three-year-old students, you may be required to change diapers, assist with toileting, and perform other bathroom-related responsibilities. You should always request assistance from another staff member and be aware of any perception of inappropriate behavior while performing these duties.
- You may want to leave bathroom responsibilities to the assigned regular classroom aides and provide any necessary support.
- If a student attempts to hug you, avoid hugging them back.
- Younger students may need assistance with dressing appropriately to leave school at the end of the day. Specifically, they may need help with tying shoes, zipping coats, putting on hats and gloves, etc. You may provide limited physical assistance to ensure students are appropriately dressed before leaving school.
- Paraprofessionals may be required to provide limited physical assistance for students with special needs, as defined in their IEP/504 Plan. Always be mindful of the student's personal space to avoid physical contact issues.
- Never touch any student in an inappropriate manner.
- Limited physical contact may be necessary, only under clearly and formally identified circumstances for special support or safety of designated students. Physical interaction techniques may be appropriate for crisis, redirection, and toileting purposes when directed by the school administration or other school personnel.

Should an allegation of physical contact between an employee and student be brought to ESS' attention, the employee shall automatically be suspended without pay during the course of the investigation. If a state investigation is initiated ESS is unable to reactivate employee until official clearance.

Student Supervision

Under no circumstances should a substitute employee leave student(s) unattended in any classroom without appropriate, certified supervision. Substitute employees are responsible for all students under their care and are legally held accountable for the welfare of these students. Substitute employees should be aware that allowing students to leave a classroom unsupervised immediately creates a situation where the substitute's liability for inappropriate behavior or injury is increased.

Use of Audio-Visual Equipment in the Classroom (Films, Movies, and Television)

The use of educational films and television in the classroom can be a valuable tool for instruction. However, the following guidelines should be followed:

- Substitute employees are not allowed to show films, videos, movies, or any other type of program, including YouTube videos or social media videos, unless it is part of a standards aligned lesson plan which the classroom teacher has prepared for you on your behalf.
- Under no circumstances should you show any films, videos, movies, or other type of programs, including YouTube videos or social media videos, to students if not explicitly provided to you by the district.

Classroom Discussions

Substitute employees are expected to exercise reasonable and prudent judgment in all classroom discussions. Discussions shall be current, relevant, and significant to the instructional program, and topics shall be appropriate for and within the range of the knowledge, understanding, age and maturity of students.

Planning/Prep Periods

Substitute employees are expected to follow the daily schedule of the district employee they are filling in for, which may include a prep or planning period. A substitute may be asked to cover/perform other duties and responsibilities as needed by the school administration during the day, and likewise are required to assist in any capacity asked during the assignment, which may include working in another classroom during the conference or planning period. A substitute employee may not leave their assignment early if their last period of the day is a prep/planning period.

Conflicts of Interest

Situations of actual or potential conflict of interest are to be avoided by all employees of ESS. Personal involvement with a student, customer, vendor, co-worker, or subordinate that impairs an employee's ability to exercise good judgment on behalf of ESS creates an actual or potential conflict of interest.

An employee involved in the type of relationships/situations described in this policy should immediately and fully disclose the relevant circumstances to the Director of Human Resources for a determination as to whether a potential or actual conflict exists. If an actual or potential conflict is determined, ESS may take whatever corrective action appears appropriate according to the circumstances. Failure to disclose facts shall constitute ground for disciplinary action including possible termination.

Employees must avoid any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. At times, an employee may be faced with situations in which business actions taken on behalf of ESS may conflict with the employee's own personal interests. Company property, information or business opportunities may not be used for personal gain.

If an employee of ESS is also a parent or guardian of a student in a partnering school district, ESS will follow district policy in regard to an employee working as a substitute in their child's classroom and/or school and whether it qualifies as a conflict of interest.

Political Activities

Substitute employees shall not promote, organize, or engage in political activities or discussions while performing their duties or during the workday. Promoting or engaging in political activities shall include, but not be limited to, the following:

- Encouraging students to adopt or support a political position, party, or candidate; or
- Using school property or materials to advance the support of a political position, party, or candidate; or
- Self-promoting or campaigning for yourself for any elected position whether it is related or non-related to the school, district, or any other organization.

Religion in the Public Schools

ESS strongly supports the separation of religion and government. To support diversity, do not share your personal religious beliefs with students or staff. Substitute employees must maintain a posture of "neutrality" regarding religion in the classroom and in other activities and areas of the school and are prohibited from advancing their own religious beliefs in schools.

Employment of Relatives

ESS wants to ensure that employment practices do not create situations such as conflicts of interest or favoritism. This extends to practices that involve employee hiring, promotion, and transfer. Close relatives, partners, those in a dating relationship or members of the same household are not permitted to be in positions that have a reporting responsibility to each other. Close relatives are defined as husband, wife, domestic partner, father, mother, father-in-law, mother-in law, grandfather,

grandmother, son, son-in-law, daughter, daughter-in law, uncle, aunt, nephew, niece, brother, sister, brother-in-law, sister-in-law, step relatives, cousins, and domestic partner relatives.

If employees begin a dating relationship or become relatives, partners, or members of the same household and if one party is in a supervisory position, that person is required to inform management and Human Resources of the relationship.

ESS reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if there is no direct-reporting relationship or authority involved.

Personal Cell Phone Use

Substitute employees who use electronic devices or tend to personal matters on duty are taking time and attention away from their basic responsibilities and duty to students. Personal cell phone use of any kind during an assignment is strictly prohibited. This includes accessing your phone during prep periods, lunch time, breaks, in the teacher's lounge, checking for available jobs, checking the time, internet use, social media, email (school, business, or personal), etc. Do not leave the classroom for personal telephone calls under any circumstances. If an employee is seen during an assignment using their phone during school hours, disciplinary actions up to and including termination of employment may occur.

Photo ID Badges

Photo ID Badges are issued to every substitute employee of ESS. Substitutes must always wear or display this badge when on any school campus. If the ID badge is lost or stolen, please report this to the Employee Engagement Department immediately by phone at (877) 983-2244.

Employment and Substitute Assignments

Applicants will not be employed by ESS until all required documents have been satisfactorily completed, signed and provided to ESS, and the Employee's information is entered into ESS' absence management and payroll systems.

An employee's official start date with ESS is the first day of their first paid assignment with ESS. Employees are expected to work as frequently as they can. An active employee should be working at least four times per month. Failure to meet these expectations may be considered voluntary resignation due to job abandonment. If an employee is unable to meet ESS' expectations for activity, the Employee must notify ESS regarding the date they are able to return to normal working expectations.

Once an employee file is made inactive for any reason, they may not work again until they have gone through the re-employment procedures, which may include the fingerprinting process. Inactive substitute employees wishing to return in subsequent school years will need to reapply and will be responsible to pay any fees incurred for re-fingerprinting. Please note that being re-hired is based on an employee's performance history. Any disciplinary reports or negative incident reports may hinder eligibility for reemployment.

Employees are required to provide enough notice to ESS if unable to work their assigned work hours. Employees also can designate days within the absence management system as nonwork days to show their unavailability. If an employee is unable to fill an assignment which they have accepted in the absence management system, the employee must notify ESS immediately via Employee Engagement Dept. Failure to notify ESS will be grounds for discipline, including termination, and any wages paid to the employee for an assignment which was not worked will be deemed theft and, if necessary, prosecuted accordingly.

When an employee has received a substitute teaching or other assignment, their continuing employment status with ESS at that time may provide the employee reasonable assurance of further placements and employment during the following academic period(s) after the summer recess and other school district recess periods are over.

Cancelling Assignments

You are permitted to cancel an assignment through the absence management system up to 12 hours before the scheduled start time of the job. (Example: If school starts at 8:00 AM – you can cancel until 8:00 pm the day prior.) If you pass this time and need to cancel, you must contact ESS directly at (877) 983-2244. You must also notify the school of your inability to fulfill the assignment. If you are scheduled for a multi-day assignment and need to cancel a single date or multiple dates, you must call ESS as you will not be able to complete this via absence management yourself. Please understand, that if your assignment still appears in your employee profile after following any of the above steps, the assignment has not been cancelled and you may be held accountable.

Any assignment cancellations requested less than 12 hours for the following day will be considered a “Last Minute Cancellation.” If a last-minute cancellation occurs, you will be prohibited from viewing and accepting available jobs for that date. If ESS determines that there is a pattern of last-minute cancellations by you, ESS reserves the right to impose further disciplinary actions, up to and including suspension without pay and termination of employment.

Please note that although cancellations are permitted, they are highly discouraged and may result in disqualification from accepting further assignments for that date or school.

No Call/ No Show Policy

Employees who do not notify ESS of an assignment cancellation are considered a no call/no show. Due to the serious nature of not reporting to work, a no call/no show will result in an automatic Written Warning. Any further no call/no show will result in termination.

Tardiness

Unless approved by ESS, Employees are expected to be at work on time. If you realize you are going to arrive late to your assignment, you must notify ESS and your assigned school of your expected tardiness. Substitute employees are expected to be on duty the same length of time as the regular district employee. Many experienced substitute employees advise arriving to school a few minutes prior to the start of your assignment in order to successfully find parking, sign in, locate the

classroom, review the lesson plans, prepare the room and instructional materials, and otherwise prepare for a successful day of work.

If you accept an assignment after the scheduled reporting time you must arrive to the location no later than 30 minutes after you accepted the job. Employees that arrive later than 30 minutes from the time he/she accepts the assignment can be cancelled from the substitute assignment that day and will not receive compensation from the site. Employees that are in a multi-day assignment who arrive later than the specified time can be cancelled from the assignment that day and/or the remaining consecutive days and will not receive compensation from the site. ESS recognizes that situations arise which hinder punctuality; regardless, excessive tardiness is prohibited, and may be subject to disciplinary action. Likewise, Employees who need to leave an assignment early, for illness or otherwise, should inform a supervisor before departure. Unauthorized departures may result in disciplinary action.

A phone call, email, text or other notification does not excuse your lateness, and may result in disqualification from accepting further assignments for that date or school.

Daily Substitute Assignments

Assignments may change based on the needs of the individual school or district that the employee is assigned. An employee is not guaranteed a specific subject area or grade level. When an employee arrives for an assignment, the school needs may have changed, and they may be asked to accept assignments outside of their background or educational training, or to cover classes during the district employee's planning period. Flexibility with assignments is a requirement for employment.

Employees should not work in any assignment without a job confirmation number issued from ESS' absence management system. Employees are not paid for non-attendance days due to emergency school closings, scheduled closings, or holidays, even if an absence is mistakenly put into the system. (See section titled Inclement Weather for additional information.)

Half Day VS. Full Day Assignments

Half day/full day designations are made at the time of the assignment and designated in the absence management system for a particular job. It will not be based on the time an employee signs/scans in or out. If you are called to substitute for a full or half day assignment and the assignment changes while you are performing your duties, you must call Employee Engagement to update the absence management system.

Placement Errors

If an error is made in placement which results in the Employee arriving to an assignment where they are no longer needed, the Employee should call ESS immediately for further instructions. The following options may be available to the Employee:

- Expedited placement into another assignment, if available, regardless of position or pay in the same or different district.
- Decline available assignments and leave the site immediately after notifying ESS with no compensation.

Attire and Grooming

Employees are expected to maintain a high standard of professional appearance that reflects the credible image of ESS. The dress code for schools is business casual. No mode of attire that distracts from or disrupts classroom and school decorum shall be considered proper for school wear. Employees working within school districts should refer to the specific professional appearance policies established by the school district(s) where they are assigned to work. Employees are expected to keep their attire and person neat, clean, and well-kept at all times. In addition, employees should not wear sleeveless shirts, t-shirts, tank tops, midriff tops, halter tops, jeans, leggings, ripped or torn clothing, miniskirts, sneakers, flip flops, sandals, or clothing that is revealing.

Principals and other administrative supervisors shall be delegated the authority and bear the responsibility for ensuring compliance with the provisions of this policy and shall be expected to report their concerns on professional appearance in conformance with this policy to ESS. An employee who is inappropriately dressed in the opinion of the principal/supervisor, may be sent home and required to return to work in acceptable attire. The employee shall not be paid for time away from work. Any employee who disregards the provisions of ESS' employee dress code policy shall be subject to disciplinary action.

Transportation

Transportation to and from ESS and job-related locations are the responsibility of the employee. Employees are to use their personal vehicle and it is their responsibility to have a valid driver's license, registration, and insurance. Transportation of students in personal vehicles, unless required by the job and authorized by ESS, is strictly forbidden and may result in criminal charges and termination.

Disciplinary/Corrective Action

Every employee has the duty and the responsibility to be aware of and abide by existing rules and policies. Employees also have the responsibility to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established.

ESS supports the use of progressive discipline to address issues such as poor work performance or misconduct. Our progressive discipline policy is designed to provide a corrective action process to improve and prevent a recurrence of undesirable behavior and/or performance issues. Our progressive discipline policy has been designed consistent with HR best practices and employment laws.

Outlined below are the steps of our progressive discipline policy and procedure. ESS reserves the right to combine or skip steps in this process depending on the facts of each situation and the nature of the offense. The level of disciplinary intervention may also vary. Some of the factors that will be

considered are whether the offense is repeated despite coaching, counseling and/or training; the employee's work record; and the impact the conduct and performance issues have on the organization.

The following outlines ESS' progressive discipline process:

- **Verbal warning:** The Compliance Manager verbally counsels an employee about an issue of concern, and a written record of the discussion is placed in ESS' online incident portal for future reference. Notice may be provided via phone or email.
- **Written warning:** Written warnings are used for behavior or violations that the Compliance Manager considers serious or in situations when a verbal warning has not helped change unacceptable behavior. Written warnings are placed in ESS' online incident portal. Employees should recognize the grave nature of the written warning. Notice may be provided by email or mail.
- **Unpaid Suspension:** Employee will be unable to view or accept assignments while an investigation is being completed, or the Compliance Manager is waiting to hear back from the employee.
- **Termination:** An employee's status with ESS will be determined upon completion of an investigation. The employee will receive official notification of termination from ESS by mail and email.

ESS created an online system to receive employee performance feedback from client school districts. District administrators are required to submit an incident report in those instances when the performance of an employee is less than satisfactory. Incident reports are reviewed with the Employee via email, letter, or phone for the purpose of coaching, mentoring, refining, and redirecting. Once contacted, it is the Employee's responsibility to contact the Compliance Manager for additional information as soon as possible but no more than 48 hours of notification. Employees may be temporarily "inactivated" after an incident is reported until an investigation of the incident is completed. Multiple exclusions may result in dismissal, as may a single substantiated incident involving serious misconduct.

ESS may give an employee an opportunity to correct or improve upon an identified problem. Should the employee fail to correct the identified deficiencies and maintain standards set by ESS, ESS may enforce further action up to and including termination of employment. ESS reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge.

Examples of performance issues requiring disciplinary action include, but are not limited to:

- No Call/ No Show: Failure to cancel an assignment/show up for assignment.
- Tardiness: Failure to arrive and sign into your assignment by your scheduled start time or leaving your assignment early without advanced, written approval from the school district
- Last Minute Cancellation: Cancelling within 24 hours of your assignment start date.

- Failure to follow lesson plans, employee's school schedule, instructions, or assigned work given to you by ESS/ School District Employee.
- Unnecessary shouting or yelling at students, or disruptions to classrooms around you, rough housing, horseplay, wrestling, or other unprofessional misconduct towards or with students.
- Using scheduled work time to complete personal tasks such as homework, phone calls, texts or emails, etc.
- Failure to follow all policies and procedures listed in this handbook
- Reporting for work, or working while unfit for duty, which includes inappropriate mental and/or physical condition and physical appearance.
- Employees are expected to remain alert and actively engaged with students and staff while working on an assignment. Sleeping, dozing off, closing your eyes, resting your eyes, or putting your head down are examples of sleeping and will result in termination of your employment.
- Unnecessary Physical Contact with a student.
- Leaving students/classroom unattended or in the care of an unqualified person.
- Not allowing a student to go to the nurse or use the rest room upon request.
- Poor classroom management and ability to maintain discipline in the classroom.

ESS reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including oral and written warnings, suspension with or without pay, demotion and discharge. If warranted, termination may occur on the employee's first offense.

Insubordination

Insubordination is the refusal of a directive from managerial personnel or the use of obscene or otherwise objectionable language to such personnel in a threatening manner. Insubordination undermines the discipline and authority needed in the workplace for the successful operation of the business and the ultimate benefit of clients and employees. Insubordination will not be tolerated and may result in termination.

School Administrators have the discretion to move any substitute employee to a position that he/she feels has a greater need that will result in a higher success in learning for the students. Substitute employees are expected to fulfill all extra duties that have been assigned to the regular district employee, which may include bus duty, lunch, recess, and hall duty, or other special assignments. Failure to follow a school administrators' directive is considered insubordination as well and can result in one of the following:

- Removal from schools' substitute pool, and/or
- Removal from school site
- Removal from district's substitute pool.

Job Abandonment

If an employee is scheduled to work multiple day assignments and fails to show up for the assignments or notify ESS of the absences for three consecutive days, it will be assumed that the employee has voluntarily resigned their employment with ESS. Voluntary resignation of employment may impact the employee's eligibility for unemployment benefits.

Training

ESS believes in providing training and/or orientation to all employees for their positions, in addition to annual recertification training on such topics as sexual harassment, diversity, etc. This training will be mandatory and is expected to be completed within the allotted time frame. Any and all training required by a State to become or remain eligible to be a substitute at a school district is expected to be completed by employee at employee's expense and time.

Compensation & Benefits

Employment Classifications

Each employee, depending on job duties, work schedules, and hours of service, is classified into an employment category. These categories and the primary physical location of where the work is performed determine the application of certain policy provisions. Days and hours of service are set by ESS' needs and may change as and when the need arises.

If you have questions about how your position with ESS has been classified or if you believe that your job has been classified incorrectly, please contact the Human Resources Department immediately.

Exempt/Non-Exempt under the Fair Labor Standards Act (FLSA)

All employees are designated as either non-exempt or exempt under state and federal wage and hour laws. The following is intended to help employees understand employment classifications and employees' employment status, and benefit eligibility. These classifications do not guarantee employment for any specified period of time. The right to terminate the employment-at-will relationship at any time is retained by both the employee and ESS.

Non-exempt employees are employees whose work is covered by the Fair Labor Standards Act (FLSA). Employees working jobs that are classified as non-exempt are NOT exempt from the law's requirements concerning minimum wage and overtime.

Exempt employees are employees whose jobs have been classified as EXEMPT under the FLSA.

Non-exempt employees are eligible for overtime pay, while exempt employees are not eligible for overtime pay.

Payment of Wages

ESS pays employees weekly on Fridays, two weeks in arrears. A pay date schedule is available to all employees within ESS' Human Resources Information System (HRIS) system. If a pay day falls on a federal holiday, employees will receive their paycheck on the preceding workday.

Employees may be paid by pay card or through direct deposit of funds to either a savings or checking account at the financial institution of their choice (where allowable by state law).

Pay Deductions

The law requires that ESS make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes, as well as social security taxes on each employee's earnings up to a specified limit. ESS also offers voluntary benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Changes to tax deductions or exemption status can be made by completing a new W-4 form and submitting to Human Resources. Forms must be submitted before 10 am the Monday before pay day to be included in the upcoming payroll.

It is the responsibility of the employee to immediately bring payroll discrepancy concerns to the attention the Human Resources department. All concerns will be addressed in a timely manner.

Time Keeping

Employees are required to sign or scan in at the main office of the school by the scheduled start time of their assignment as it appears on your assignment, but no more than five (5) minutes prior to their scheduled start time. Likewise, employees are required to sign or scan out at the end of their scheduled workday but no more than five (5) minutes past their scheduled end work time. You are expected to remain at the school site for the entire length of the assignment; this includes planning periods unless you are otherwise directed by the main office. Under no circumstances are you permitted to leave a school campus for lunch, breaks, or any other reason unless authorized by school administration.

Time clocks are located throughout most districts at every school. If there is no time clock or the employee is unable to clock in, employees are required to sign in and sign out each day that they worked. Time clocks or sign-in sheets are necessary for security, payroll, and billing reasons, and must be utilized each workday. Sign-in sheets will be made available in the main office of each school in which an employee works. If no sign-in sheet is available, the employee should request one from the school secretary. If this is not possible, the employee should contact **Employee Engagement at (877) 983-2244** for further direction. Failure to clock in and clock out will prevent payment of wages for that day. In such an event, the employee will not be paid until such time as the employee provides independent proof that the employee worked the entire assignment in the designated school and classroom.

Repeated failure to comply with the listed requirements concerning time keeping and work schedule may result in a delay and/or nonpayment of wages, and may subject the employee to discipline, including termination.

Meal/Rest Periods

You are required to work the schedule of the school district where you accept an assignment. This schedule may require that you take an unpaid lunch break. If such break is required by the district schedule, then you are required to take a lunch break which shall be deducted from hours worked. Some districts require that ESS automatically deduct a lunch period from your schedule. In these districts, if the district requires you to work through lunch or your lunch is shortened to less than 20 minutes, it is your responsibility to notify ESS on the same day of this additional time by contacting **Employee Engagement at (877) 983-2244**.

Employees who work an hourly position in certain school districts which lasts six or more hours must take a half hour lunch. This half hour lunch will be automatically deducted from your pay – do not clock in or out for lunch! If the district requires you to work through lunch or your lunch is shortened to less than 20 minutes, it is your responsibility to notify ESS on the same day of this additional time by contacting **Employee Engagement at (877) 983-2244**.

Unless explicitly authorized by ESS to do so, no employee is authorized to work prior to their assigned start time, beyond the end time of the employee's scheduled shift, or work during their scheduled lunch break, without prior approval from ESS. If a school district wants an employee to work beyond their normal schedule and hours, the school district will make a request directly to ESS for approval. The employee shall take no action concerning their schedule until ESS notifies the employee of its decision.

Failure to comply with the foregoing requirements concerning time keeping and work schedule will cause delay and/or nonpayment of wages and may subject the employee to discipline, including termination.

PTO/Sick Pay

This sick pay policy is subject to modification to comply with any federal, state or local mandated sick leave policies.

Employees are not eligible for paid PTO or Vacation time.

Jury Duty

Employees serving jury duty will only receive compensation should state or local law require a minimum payment from ESS. Employees must present ESS' human resources department the summons to appear for jury duty.

Family and Medical Leave Act (FMLA)

The FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and

conditions as if the employee had not taken leave. This policy provides a general description of employee's FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

If you have any questions, concerns, or disputes with this policy, you must contact the Human Resources department in writing.

General Provisions

Under this policy, ESS will grant to eligible employees up to 12 weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

Eligibility

To qualify to for leave under this policy, the employee must meet the following conditions:

- The employee must have worked for ESS for 12 months or 52 weeks (which does not need to be consecutive). Time worked as a temporary employee or seasonal worker would be included into time worked. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- The employee must work in a work site where 50 or more employees are employed by ESS within 75 miles of that office or work site. The distance is to be calculated by using available transportation by the most direct route.

Type of Leave Covered

To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child or placement of a child for adoption or foster care and in order to care for that child
- To care for a spouse, child, or parent with a serious health condition (Under the FMLA, a "spouse" means a husband or wife as defined under the law in the state where the employee resides, including same-sex marriages in states that legally recognize such civil unions).
- The serious health condition of the employee (described below):
 - An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.
 - A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of

incapacity or any subsequent treatment in connection with such inpatient care or as a condition that requires continuing care by a licensed health care provider.

- This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity, and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.
- Employees with questions about what illnesses are covered under this FMLA policy or under ESS' sick leave policy are encouraged to consult with the Human Resources department.
- If an employee takes paid sick leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, ESS may designate all or some portion of related leave taken as leave under this policy, to the extent that the earlier leave meets the necessary qualifications.
- Qualifying exigency leave for families of members of the National Guard or Reserves or of a regular component of the Armed Forces when the covered military member is on covered active duty or called to covered active duty.
 - An employee whose spouse, son, daughter, or parent has been notified of an impending call or order to covered active military duty or who is already on covered active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, and h) additional activities that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.
 - **Covered active duty** means:
 - In the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country.
 - In the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in Title 10 U.S.C. §101(a)(13)(B).
 - The leave may commence as soon as the individual receives the call-up notice. (*Son* or *daughter* for this type of FMLA leave is defined the same as for *child* for other types of FMLA leave except that the person does not have

to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

- **Military caregiver leave** (also known as **covered service member leave**) is to care for an injured or ill service member or veteran.
 - An employee whose son, daughter, parent or next of kin is a covered service member may take up to 26 weeks in a single 12-month period to take care of that service member.
 - **Next of kin** is defined as the closest blood relative of the injured or recovering service member.
 - The term **covered service member** means:
 - A member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation or therapy or is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.
 - A veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.
 - The term **serious injury or illness means**:
 - In the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in line of duty on active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service while on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating.
 - In the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during a period when the person was a covered service member, a qualifying (as defined by the Secretary of Labor) injury or illness that was incurred by the member in line of duty on an active duty in the Armed Forces (or that existed before the beginning of the member's active duty and was aggravated by service in line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Amount of Leave

An eligible employee may take up to 12 weeks for the first five FMLA circumstances above (under heading "Type of Leave Covered") under this policy during any 12-month period. ESS will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, ESS will compute the amount

of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, ESS will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If both parents work for ESS and each chooses to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, each parent can only take a combined total of 12 weeks of leave. If both parents work for ESS and each chooses to take leave to care for a covered injured or ill service member, each parent may only take a combined total of 26 weeks of leave.

Employee Status and Benefits During Leave

While an employee is on leave, ESS will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

Employee Status After Leave

An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Use of Paid and Unpaid Leave

All paid vacation, personal and sick leave runs concurrently with FMLA leave.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

ESS will require certification from the employee for the following circumstances:

- Certification for the Employee's Serious Health Condition
- Certification for the Family Member's Serious Health Condition
- Certification of Qualifying Exigency for Military Family Leave

- Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave

For each of the aforementioned circumstances, the employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave.

Recertification

ESS may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, ESS may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Procedure for Requesting FMLA Leave

All employees requesting FMLA leave must provide the Human Resources department with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the Human Resources department will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with ESS' usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave

Within five business days after the employee has submitted the appropriate certification form, the Human Resources department will provide the employee with a written response to the employee's request for FMLA leave.

Intent to Return to Work from FMLA Leave

ESS may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Military Leave of Absence

ESS is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is ESS' policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or company policy.

If any employee believes that he or she has been subjected to discrimination in violation of company policy, the employee should immediately contact Human Resources.

Employees taking part in a variety of military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists and National Guard members, for training, periods of active military service and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Employees requesting leave for military duty should contact the Human Resources Department to request leave as soon as they are aware of the need for leave. For request forms and detailed information on eligibility, employee rights while on leave and job restoration upon completion of leave, please contact Human Resources.

Personal Leave of Absence

Employees who require time off may request a personal leave of absence without pay for up to a maximum of 30 days. An extension may be approved in limited circumstances.

All regular employees employed for a minimum of 90 days are eligible to apply for an unpaid personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a request is approved.

Please contact the Human Resources Department for more information on request procedures.

The employee must return to work on the scheduled return date or be considered to have voluntarily resigned from his or her employment. Extensions of leave will only be considered on a case-by-case basis.

Same-Sex Marriages, Civil Unions and Domestic Partners

Some employee benefits may extend to persons in addition to ESS employee. Eligibility is contingent on a variety of factors defined below:

- Same-sex marriages/Civil Unions are persons who:
 - Are at least 18 years of age and of the same biological gender.
 - Have participated in a legally recognized marriage or civil union ceremony in a state which legally allows and recognizes same-sex marriages/civil unions.
- Domestic partners are persons who:
 - Are at least 18 years of age and may be of the same or opposite gender.
 - Are not legally married to any person and are not related in any way that would prohibit marriage in ESS' state of operation.
 - Share permanent residence.
- Domestic partners must have two of the following:

- Joint lease, mortgage or deed.
- Joint ownership of a vehicle.
- Joint ownership of a checking account or credit account.
- Designation of the domestic partner as beneficiary for the employee's life insurance or retirement benefits.
- Shared household expenses.

Employees may be asked to show documentation of domestic partner status to prove eligibility for benefits. The following terms apply:

- Children of domestic partners are eligible for benefits under the same conditions as are the children of employees' legal spouses.
- Enrollment of domestic partners and eligible dependent children is subject to the same rules as enrollment of other dependents.
- Domestic partners and their enrolled dependents receive the same or equivalent benefits as spouses, and their enrolled dependents receive group continuation health coverage through COBRA and/or individual conversion.
- An employee may terminate a domestic partnership by notifying the Human Resource Department in writing of the termination of the domestic partnership within 30 days of its termination.

The tax consequences of a domestic partnership are the responsibility of the employee. The value of benefits provided to an employee's domestic partner (and to the domestic partner's eligible children, if any) is considered part of the employee's taxable income, unless the employee's domestic partner qualifies as a dependent under Section 152 of the Internal Revenue Code.

Questions regarding this policy should be directed to Human Resources.

Voluntary Employee Benefits

Pursuant to the federal Patient Protection and Affordable Care Act (ACA), ESS offers a medical plan to provide minimum essential coverage (MEC plan) to all employees. This plan is optional and voluntary for the employee to join and the employee is responsible for 100% of the employee contribution (Note: While ESS can only offer healthcare coverage, ESS cannot force employee to participate.) Employees are eligible to enroll in benefits in the 30 days following their first paycheck.

Additionally, ESS offers several voluntary limited medical indemnity plans to all employees, both full time and part time. These limited medical indemnity plans are optional and voluntary for the employee and the employee is responsible for 100% of the cost of their plan. In addition, these plans may be combined with the MEC plan to expand coverage. ESS does not provide any monetary contribution to assist with the cost of the limited benefit plan.

Voluntary dental, vision, life, and accidental death & dismemberment (AD&D) coverage is also available to employees. Deductions for all of these benefits will be deducted from employee's paychecks. Employees will have the option to arrange for a secondary method of payment to ensure continuation of coverage.

For a copy of summary plan descriptions and further benefit details, please see the benefit enrollment information in ESS' employee portal.

COBRA

The Consolidated Omnibus Reconciliation Act, commonly known as COBRA, requires ESS to offer employees and their families the opportunity for a temporary extension of current health coverage ("continuation coverage") at ESS' group rate in certain instances when coverage would otherwise end.

An employee will be permitted to continue his/her group medical coverage when his/her insurance would otherwise terminate due to instances such as a reduction in work hours or termination of employment (other than for reasons of gross misconduct). An employee's spouse and dependent children will also be permitted to purchase continued coverage when they lose eligibility for coverage in instances such a divorce or legal separation, loss of dependent child status, the death of the employee, the termination of the employee's employment (for reasons other than gross misconduct), the reduction of the employee's work hours, or the employee's becoming entitled to Medicare.

The period for which continuation coverage may be purchased varies according to the reason for the termination of coverage, and can be either 18, 29, or 36 months or as governed by federal laws. The cost of continuation coverage must be paid by the employee, spouse, or dependent and will be at the group rate plus an administrative fee or as governed by federal laws.

At the time an employee and/or his or her covered dependents lose coverage under ESS health plan, whether or not continuation coverage is elected, the employee and/or dependents are entitled to receive a certification for the period of coverage by a Company plan and any waiting period that may have been imposed. This certificate of "creditable coverage" may be used to reduce any preexisting condition exclusion when the employee and/or dependent is next covered by a group health plan, assuming that there has not been a gap in coverage at the time continuation coverage ceases. This certificate shall be provided upon request, at any time within 24 months following the date ESS coverage ceases, whether continuation coverage was elected.

401(k) Plan

ESS offers a voluntary pretax salary reduction plan in which regular full-time and regular part-time employees who are 21 years of age or older, may elect to participate after (1) year of employment. ESS *may* match the contributions you make to the plan during the year. The match amount is discretionary and will be determined during each plan year. Employees can enroll or cancel elections at any time.

Lactation/Breastfeeding

For up to one year after a child's birth, any employee who is breastfeeding her child will be provided reasonable break times as needed to express breast milk for her baby. ESS will designate a room at the office for this purpose. Refrigerators are available onsite for storage. Employees storing milk in the refrigerator assume all responsibility for the safety of the milk and the risk of harm for any reason, including improper storage or refrigeration and tampering. Nursing mothers wishing to use this room must request/reserve the room by contacting the Human Resources Department. Employees who work off-site or in other locations will be accommodated with a private area as necessary.

Breaks of more than 20 minutes in length will be unpaid, and the employee should indicate this break period on her time record. In cases where state-specific lactation laws conflict with our policy, state law will take precedence.

Workplace Safety

Drug-Free Workplace

ESS has a longstanding commitment to provide a safe and productive work environment. Alcohol and drug abuse pose a threat to the health and safety of employees and to the security of our equipment and facilities. For these reasons, ESS is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

This policy outlines the practice and procedure designed to correct instances of identified alcohol and/or drug use in the workplace. This policy applies to all employees and all applicants for employment of ESS. The Human Resource department is responsible for policy administration.

Smoke-Free Workplace

It is the policy of ESS to prohibit smoking and the use of tobacco products on all company premises in order to provide and maintain a safe and healthy work environment for all employees. "Smoking" means inhaling, exhaling, burning or carrying any lighted, heated or smoldering cigar, cigarette or pipe of any kind. "Tobacco Products" mean all forms of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), electronic cigarettes, and smokeless tobacco products.

The smoke-free workplace policy applies to:

- All areas of company buildings.
- All company-sponsored off-site conferences and meetings.
- All vehicles owned or leased by ESS.
- All visitors (customers and vendors) to ESS premises.
- All contractors and consultants and/or their employees working on ESS premises.

- All employees, temporary employees, and student interns.

Smoking is permitted in designated smoking areas outside of the office building and the building parking lots only. Employees who violate the smoking policy will be subject to disciplinary action up to and including termination.

Weapons-Free Workplace

ESS prohibits the possession or use of dangerous weapons on Company property, or at any location where an employee may be performing work or service for ESS. These locations include but are not limited to: school buildings and school property (any buildings, sidewalks, walkways, driveways, parking lots, athletic fields, school buses or other vehicles, bus depots or garages, etc.). This policy is always in effect while you are performing work for ESS, regardless of location. If an employee has a license to carry a concealed weapon, this license does not supersede ESS Policy. Any employee found to be in violation of this policy will be subject to prompt disciplinary action, up to and including termination. All ESS employees are subject to this provision, including contract and temporary employees, visitors, and customers on ESS property. "Dangerous weapons" include, but are not limited to, firearms, explosives, knives, and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

ESS may at any time, at its discretion, search all vehicles, packages, containers, briefcases, purses, lockers, desks, enclosures, and persons entering its property or the property of its clients, for the purpose of determining whether any weapon has been brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination. Anyone with questions or concerns specific to this policy should contact the HR Department.

Criminal History

ESS attempts to ensure a safe and secure work environment for all employees. Additionally, as a service-oriented company, our reputation is extremely important in the retention of current business and the development of new business opportunities. Therefore, as a condition of employment, employees may be required to undergo a background check and are required to report in writing any criminal charges and disorderly persons offenses filed against them to the Director of Human Resources for ESS within forty-eight (48) hours of being charged.

Failure to report or failure to comply with regulatory instructions and/or requests for court documentation or additional information may result in disciplinary action, up to and including termination. In addition, as a result of such charges and/or convictions, employees may be disqualified from employment.

ESS also reserves the right to conduct a background check for current employees upon suspicion or cause for illegal activity or failure to report criminal charges.

Violence in the Workplace

All employees, customers, vendors and business associates must always be treated with courtesy and respect. Employees are expected to refrain from conduct that may be dangerous to others. Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate will not be tolerated. ESS' resources may not be used to threaten, stalk or harass anyone at the workplace or outside the workplace. ESS treats threats coming from an abusive personal relationship as it does other forms of violence.

Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to your manager, Human Resources or any member of senior management. When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees should promptly inform the Human Resources department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Employees are encouraged to report safety concerns with regards to intimate partner violence. ESS will not retaliate against employees making good-faith reports. ESS is committed to supporting victims of intimate partner violence by providing referrals to ESS' Employee Assistance Program (EAP) and community resources and providing time off for reasons related to intimate partner violence.

ESS will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. ESS will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities. In effort to maintain workplace safety and the integrity of its investigation, ESS may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

ESS encourages employees to bring their disputes to the attention of their managers or Human Resources before the situation escalates. ESS will not discipline employees for raising such concerns.

Safety

It is the responsibility of each employee to conduct all tasks in a safe and efficient manner complying with all local, state and federal safety and health regulations and program standards, and with any special safety concerns for use in a particular area or with a client.

Management requires that every person in the organization assumes the responsibility of individual and organizational safety. Failure to follow company safety and health guidelines or engaging in

conduct that places the employee, client or company property at risk can lead to employee disciplinary action and/or termination.

The Safety Committee shall have the responsibility to develop and the authority to implement the safety program in the interest of a safer work environment.

Workers' Compensation Benefits

ESS is covered under statutory state workers' compensation laws. Employees who sustain work-related injuries must immediately notify Human Resources for further instructions.

Reporting Workplace Accidents/Injuries

Work-related injuries and/or illnesses are covered under ESS' worker's compensation insurance policy. In the event of a medical emergency, dial 911 and contact the Human Resources Department as soon as possible. Employees will be directed to call our Workers' Compensation Administrator to document each work accident or occupational exposure. Receipt of the documentation will prompt an immediate investigation by ESS which not only assists in determining the cause of the accident or exposure but is also important in the prevention of future accidents. A 'First Report of Injury' form will be filed and sent to Human Resources.

If the employee requires non-emergent medical treatment, the employee will be directed by the Administrator to a medical facility within our Worker's compensation network (when allowable by state law). If the treating physician determines the injured employee is not able to work, the employee shall obtain from the physician an "off work order." A copy of the order is required to be faxed or emailed to the Worker's Compensation Administrator upon receipt.

If the employee is released to return to work without restrictions, the employee shall obtain from the treating physician a written release to return to work without restrictions.

If an employee is FMLA eligible and needs to be out of work for a workplace injury, FMLA and Worker's Compensation Leave will run concurrently. If an employee meets the eligibility requirements for FMLA during a Worker's Compensation Leave, Human Resources will designate the leave as FMLA as of the first day of eligibility.

If an employee is involved in an accident resulting in medical treatment or, in ESS' sole judgment, there is reasonable cause to believe the employee may be under the influence of drugs and/or alcohol, or may otherwise be suffering the effects of drug and/or alcohol abuse, ESS reserves the right to require any employee to submit to a drug/alcohol test without notice. We encourage anyone who abuses alcohol, drugs, non-prescription inhalants and/or other controlled or dangerous substances to seek help in overcoming their problem.

Any ESS employee that observes unsafe behavior by another ESS employee must report the same to Human Resources. The ultimate goal of this policy is to keep a safe, productive, drug-free workplace.

Unemployment Insurance

All employees are eligible to apply for unemployment insurance through the applicable state office (or its website). Final determination of benefits eligibility is made by the Department of Labor of the applicable state, not ESS.

Employment Verification

Employment verification information requests should be made in writing with a written authorization and release, signed by the individual who is the subject of the request. Responses to such requests will confirm only dates of employment, wage rates, and position(s) held. We do not provide referral or recommendation letters.

All substitute positions for ESS are non-contracted, variable hour employees. ESS cannot guarantee a definite assignment or an exact number of assignments to employees as they have no set hours of work. It is also difficult to give employees any estimate of how often they will be called. It will depend a great deal on factors such as the Employee's preparation and qualifications compared to ESS' daily need, general overall needs of ESS, time of year, and success of each substitute when assigned. ESS is not able to forecast wage or income verification for future assignments and/or future employee availability.

Disclaimer

Neither this handbook nor any other company document confers any contractual right, either express or implied, to remain in ESS' employ. Nor does it guarantee any fixed terms and conditions of your employment. **Your employment is "at will." This means that your employment is not for any specific time and may be terminated at the will of ESS, with or without cause, and without prior notice by ESS, or you may resign for any reason at any time.** No supervisor or other representative of ESS (except the CEO) has the authority to enter into any agreement for employment for any specified period or to make any agreement contrary to the above.

The procedures, practices, policies, and benefits described here may be modified or discontinued at any time. We will try to inform you of any changes as they occur.

This handbook and the information in it should be treated as confidential. No portion of this handbook should be disclosed to others, except ESS employees and others affiliated with whose knowledge of the information is required in the normal course of business.

Some subjects described in this handbook are covered in detail in official policy documents. Refer to these documents for specific information as this handbook briefly summarizes those guidelines and benefits. Please note that the terms of the written insurance policies are controlling and override any statements made in this or other documents.

Employee Signature

Date