

# Motor Carrier Factors Attachment #4 2015-2016 Employee Handbook

Chattanooga, TN

HWY17MH009

(69 pages)

# national express



Employee Handbook 2015 - 2016

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Please be aware that policies marked with an asterisk (\*) are policies which the Company considers so fundamental that a single, first-time violation may result in termination. The Company reserves the right to terminate any employee without progressive discipline for a violation of any of the policies discussed in this handbook, depending on the severity of the offense.

## Welcome.

By joining Durham School Services, Stock Transportation, Petermann Bus and National Express Transit, you are joining a team of more than 26,000 employees who are committed to a vision of delivering service excellence to earn the partnership, loyalty and trust of our customers and employees.

Our team of student transportation and transit professionals is the best in the industry. This is directly tied to our commitment to five core values of safety, customer, people, community and excellence. Living these values is who we are as a company; it's how we deliver our passengers safely, provide outstanding customer service, attract and retain the best people, act as good neighbors in our communities and achieve overall performance excellence. We're excited to have you with us. Welcome to the team!



We constantly strive to be excellent in all that we do.



We only do what is safe and stop any unsafe behavior.



We place them at the heart of our business and relentlessly meet their expectations.



We develop the talents, reward the exceptional performance and respect the rights of all our employees.



We are active in the communities we serve to generate economic, social and environmental value.







national express



#### **Our vision**

Delivering service excellence to earn the partnership, loyalty and trust of our customers and employees

#### Our mission

Getting students to school safely, on time and ready to learn

#### **Our values**





#### Enjoy the Ride Program

The Company strives to create an engaged workforce where employees enjoy their jobs and feel appreciated for what they do. The Enjoy the Ride program was built around our Company Vision and Values and is designed to recognize Safety, develop our People, celebrate years of service to our Customers and encourage involvement in the Community.

#### Introduction to this Handbook

This handbook is intended to help us meet our high standards of performance. It is not, however, intended to be a contract (express or implied), nor is it intended to otherwise create any legally enforceable obligations on the part of the Company or its employees. The Company reserves the right to modify or eliminate any policy or practice contained in this handbook at any time. This handbook supersedes and replaces all previous employee handbooks.

## **EMPLOYEE RELATIONS**

## Equal Employment Opportunity\*

The Company is committed to equal employment and advancement opportunity for all qualified individuals without regard to race, color, religious belief, gender, marital status, age, national origin, ancestry, physical or mental disability, medical condition (including pregnancy, childbirth or related medical conditions), sexual orientation, gender identity, family care leave status, genetic characteristic, military status (including status as a disabled veteran or Vietnam era veteran), or any other characteristic protected by law.

All employment decisions related to recruitment, selection, retention, training, development, promotion, transfer, benefits, compensation, corrective action, layoff, return from layoff, demotion and termination will be administered to further equal employment opportunity for all employees. Such employment decisions shall involve only valid requirements such as merit, experience, education, competency and demonstrated performance. Discrimination and harassment will not be tolerated.

If you believe you have observed or experienced discrimination or harassment in the workplace, you must immediately report the incident to Human Resources at 1-800-950-0485. If you feel you cannot report the matter to Human Resources, then you must call the Employee Hotline at 1-877-907-2683.

### Anti-Harassment / Non-Discrimination Policy \*

National Express ("NELLC" or "the Company") prohibits discrimination or harassment in employment based on an individual's protected status, including race / ethnicity, color, religious belief, sex, marital status, age, national origin, ancestry, physical or mental disability, medical condition (including pregnancy, childbirth or related medical conditions), sexual orientation, gender identity, family care leave status, military service, veteran status, genetic information, or any other protected status. The Company will not tolerate any form of harassment or unlawful discrimination by anyone, including supervisors, other employees,

vendors, clients or customers. The Company is committed to taking all reasonable steps to prevent discrimination or harassment from occurring.

#### Sexual Harassment\*

Sexual harassment includes: (a) physical assaults or physical conduct that is sexual in nature; (b) unwelcome sexual advances or comments or requests for sex or sexual activities concerning one's employment or advancement, regardless of whether they are accompanied by promises or threats; (c) sexual displays or publications such as calendars, cartoons or graffiti; (d) other verbal or physical conduct of a sexual nature which has the purpose or effect of interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment; and (e) retaliation for complaints of harassment. The Company regards all such conduct as creating a hostile and offensive work environment in violation of this policy, regardless of whether submission to such conduct is made either explicitly or implicitly a term or condition of employment. Examples of sex harassment include sexual propositions, sexual innuendo, sexually suggestive comments, sexually-oriented "kidding", "teasing" or "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material, and physical contact, such as patting, pinching, or brushing against another's body; or viewing, reading or otherwise publicizing in the work environment materials that are sexually suggestive or revealing.

## Racial, Religious, National Origin or Other Types of Harassment\*

Racial, religious, national origin or other types of harassment deserve special mention as well and is expressly prohibited. Racial, religious, national origin, or other types of harassment includes any verbal, written, or physical act in which race, religion, national origin or any other protected characteristic is used or implied in a manner which would make a reasonable employee uncomfortable in the work environment or which would interfere with the employee's ability to perform the job. Examples of such prohibited harassment include jokes which include reference to race, religion, national origin, or other protected characteristic; the display or use of objects or pictures which

adversely reflect on a person's race, religion, national origin, or other protected characteristic; or use of language which is offensive due to a person's race, religion, national origin or other protected characteristic. Anyone engaging in sexual or other illegal harassment in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

#### Retaliation\*

NELLC strictly prohibits unlawful retaliation against any employee or applicant for employment who reports discrimination or harassment, or who participates in good faith in any investigation of unlawful discrimination or harassment.

What action should you take if you feel you have been a victim of harassment or retaliation?

If you believe you have been the victim of harassment or retaliation of any kind, immediately do the following:

- 1. If you feel comfortable doing so, we encourage you to tell the person in no uncertain terms to stop; and
- Report the incident and the name of the individual(s) involved to Human Resources at 1-800-950-0485. If you cannot report the issue to Human Resources for any reason, contact the Employee Hotline at 1-877-907-2683. The Employee Hotline accepts anonymous complaints of any kind.

All complaints will be promptly investigated. All parties involved in the investigation will keep complaints and the terms of their resolution confidential to the fullest extent practicable.

#### Americans with Disabilities Act

The Company is committed to providing equal opportunity in employment, training, benefits, compensation and promotions. This includes a work environment free from discrimination on the basis of a physical or mental disability.

The Americans with Disabilities Act (ADA) defines disability as a physical or mental impairment that substantially limits one or more of the major life activities of such individual. A major life activity could include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, reading, thinking, communicating and working.

The Company is committed to providing reasonable accommodations to qualified individuals with disabilities to perform the essential functions of their jobs. If you believe you need an accommodation, please contact a Human Resources representative at 1-800-950-0485.

#### Workplace Violence\*

The Company places the highest priority on the health and safety of its employees, contractors, visitors and customers. Therefore, acts of violence, threats, harassment, intimidation, and other disruptive behavior involving a direct or indirect threat of physical harm are prohibited, shall be dealt with immediately and will not be tolerated. All employees, contractors, visitors and customers at any Company facility are responsible for reporting incidents involving workplace violence. This policy also covers any incidents involving individuals from outside the Company perpetrating violence against Company employees.

In addition to physical acts against people or property, such behavior can also include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm to self or others. Such behavior shall be dealt with immediately and appropriately, and those who commit such acts may be immediately removed from the premises, denied reentry pending completion of the appropriate investigation and may be subject to administrative and / or disciplinary action, including termination, criminal prosecution or both.

All employees, contractors, visitors and customers shall comply with the workplace violence policy. All Company facilities shall develop procedures for responding to and managing incidents and threats of workplace violence.

All information regarding an incident and/or threat of workplace violence should be treated confidentially to the extent practicable. Statements and reports may be used as evidence in administrative and/or criminal proceedings.

#### Firearms and Dangerous Weapons\*

The Company strictly prohibits the use or possession of a firearm or other dangerous weapon on Company property to the maximum extent permitted by law. Company property includes Company vehicles, whether or not those vehicles are maintained at locations away from the Company facility. If local statutes provide for employees to be able to possess a gun or other weapon in their car on company property, employees are reminded that the weapon should remain locked in their cars and out of clear sight.

#### **Bulletin Boards**

The Company uses bulletin boards to communicate Company matters to employees. Please read the bulletin boards daily to stay informed. Bulletin boards are Company property and the Company reserves exclusive control over their access and use.

#### Confidentiality and Privacy\*

The Company commits to fair information practices that respect individual privacy rights.

The Company requires employees to provide certain personal and private information for various employment-related purposes, including to process payment of wages, comply with state and federal laws (including as to immigration / I-9-related requirements), and to respond to requests for leave for medical or other reasons,. This information may include, but is not limited to, Social Security numbers, driver's license numbers, home addresses and telephone numbers, lists of covered persons for insurance purposes, medical information and similar information relating to an employee's family members, hereinafter defined as "Private Information". Accordingly, the term "Private Information" does not include an individual's own wages, hours and other terms and conditions of employment. Employment records

containing Private Information will be kept confidential and in compliance with government record-keeping and reporting requirements.

In addition, employees may come into contact with and learn confidential and proprietary information of the Company. This confidential and proprietary information includes, but is not limited to, any information, data, or know-how such as the Company's or any of its affiliates' services; agreements; routes; service schedules; products; ideas; processes (including bidding processes); designs; equipment; software, firmware, screen shots or hardware; customer, client or supplier lists; fee schedules or price lists; financial information, business relationships; inventions; drawings; marketing or financial plans, strategic plans, industry or competitive information, research materials, trade secrets; trademarks; and service marks (collectively, "Confidential Information"). The term "Confidential Information" does not include an individual's own wages, hours or other terms and conditions of employment, or other information that is generally available through publically-accessible sources.

Employees who come into contact with any Private Information and/or Confidential Information, regardless of the manner in which they come across or learn such information – e.g., as a result of dealing with actual records, projects, or communications containing such information – must be professional and maintain that information's confidentiality at all times. Employees are prohibited from disclosing Private Information and Confidential Information to another business or person outside the Company, without appropriate authorization from Company management. In addition, employees who are party to any confidentiality / non-disclosure covenants or agreements with the Company must abide by the terms of such covenants and/or agreements. If you are unsure about whether certain information constitutes Private Information or Confidential Information under this Policy, please ask your supervisor or another member of management prior to disclosing the information.

Nothing in this Policy is intended to interfere with employee rights under any applicable federal or state laws, including protected

concerted activities under the National Labor Relations Act such as employee communications about terms and conditions of employment.

# Conflicts of Interest, Other Employment and Business Ethics\*

The Company expects its employees to conduct themselves with the highest level of ethical behavior with our customers, fellow employees, suppliers and members of the communities we serve. A conflict of interest is any personal activity or conduct that may: (1) interfere with the performance of the employee's job duties with the Company; (2) involve violation(s) of the law; (3) result in conflicting loyalties; or (4) may give the appearance of any of the foregoing to someone who becomes, or may become, aware of this activity. Examples of potential conflicts of interest include, but are not limited to:

- 1. Simultaneous employment by another organization which is a competitor or supplier.
- Conducting company business with an organization in which the employee or his or her family has substantial ownership or interest.
- Engaging in sabotage, bribery, the use or disclosure of commercially sensitive information to gain a competitive advantage, self-dealing or other similar conduct that could cause the Company legal liability, commercial harm or reputational damage.

Any activities or conduct which may constitute a conflict of interest under this Policy must be disclosed immediately to the employee's Area Human Resources Manager.

Violations of this Policy may result in disciplinary action, up to and including immediate termination of employment.

Nothing in this Policy is intended to interfere with employee rights under any applicable federal or state laws, including protected

concerted activities under the National Labor Relations Act such as employee communications about terms and conditions of employment.

#### Customer Contact\*

All employee communications with customers should be of a professional nature. Any communication with a customer that could be interpreted as threatening, profane, maliciously false concerning the Company's services or reputation, a violation of the Company's conflict of interest or non-discrimination / anti-harassment policies or similarly harmful or unlawful statements will not be tolerated and can subject the employee to discipline up to and including termination. Customers include the people we transport, parents, teachers, school administrators and school security staff, or anyone else affiliated with our transportation business.

As discussed more fully in the Solicitation section below, employees are prohibited from soliciting any customers or students during work time, which includes during route times and those times in which the employee is expected to be working. Prohibited solicitations include, but are not limited to, making appeals to students for religious reasons, for reasons related to personal income or gain, and for reasons related to or on behalf of any organization unrelated to the Company.

The cornerstones of our business are those employees who safely transport our children to school every day. The students, parents and community at large place a high degree of trust on these employees which can vanish in an instant with an employee's offhand remark or actions that demonstrate poor judgment. The Company cannot dictate every action or every word one of our employees may use around the impressionable children we transport every day. The Company does expect all of our employees who come into contact with students, whenever that may occur, to demonstrate behaviors that are professional and courteous and deserving of the trust and authority that is expected of us by the students, teachers, parents and community. The Company urges employees to stay away from adult-themed topics with the children we transport, such as politics, religion, sex, sensational news reports, personal struggles and the like. Children should be free to attend school unencumbered by difficult conversations they have

had on the bus and their parents and teachers should be the persons who decide when, and if, they should be exposed to such topics. The bottom line is everyone should use good judgment with their actions and words around the children we transport.

As more fully discussed in the Social Media section, employees are expressly prohibited from contacting students through social media outlets. Due to federal and/or state law student and individual privacy concerns, employees are also prohibited from taking or capturing any image or audio of a student with any personal device or cell phone capable of capturing pictures, audio or video.

Nothing in this policy is intended to interfere with employee rights under any applicable federal or state law, including protected concerted activity under the National Labor Relations Act (NLRA) such as employee communications about wages, hours, and terms and conditions of employment.

#### Corrective Action\*

Formal corrective action procedures are used when an employee violates Company policy or fails to meet and maintain performance or conduct standards. The purpose of this procedure is to provide fair warning and, in some cases, the opportunity to correct behavior rather than punish. Accordingly, the Company will generally apply a progressive approach to corrective action.

However, each situation is evaluated on its own merits and the Company reserves the right to forgo a progressive approach to corrective action, to skip any step of a progressive approach and to take more or less corrective action as it determines in its sole discretion is appropriate and warranted.

Some circumstances may warrant immediate suspension from job duties without pay to investigate an incident. Other circumstances may warrant termination of employment on the first offense.

The following list provides examples of serious offenses that can and may result in immediate termination of employment on the first offense.

#### ■ Safety Violation

- Leaving a passenger unattended;
- Leaving a passenger at an unauthorized or undesignated stop;
- Exposing a passenger to risk, harm or unnecessary endangerment;
- Inappropriate verbal or physical interactions or contact with a child or passenger including, but not limited to threats; abusive, profane or sexual language; striking, pushing, pulling or restraint;
- Recklessness or negligence while on Company property or while performing Company business;
- Intentionally disregarding safety procedures;
- Tampering with fire or safety equipment;
- Operating a passenger transport vehicle while distracted;
- Having a preventable rear-end collision;
- Failure to perform a proper child check;
- o Failure to report an accident or injury in a timely manner;
- Use of a cell phone or other personal communication device while operating a company vehicle; or
- o Failure to adhere to Company safety training and protocols.

#### □ Violence

- Fighting or any form of physical or verbal aggression or violence, including any verbal or physically threatening behavior that incites or provokes another employee to fight; any attempt to physically harm another person;
- Violation of Firearms and Dangerous Weapons section above; or Violation of Workplace Violence section above.
- Failure to follow reporting requirements
- Failure to report to the Company before the start of the next work shift
  - Any charge, arrest, indictment, incarceration, or conviction of any criminal offense, regardless whether misdemeanor or felony;

- Any use of prescription drugs or over-the-counter drugs that may adversely impact an employee's ability to safely perform his or her job duties;
- o Any traffic violations received while on duty; or
- Any off-duty traffic violations.
- Violation of the Drug and Alcohol Policy

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- Violation of the Company's Equal Employment Opportunity or Harassment, Discrimination and Retaliation sections above; or actions that could result in an intimidating, hostile or offensive work environment;
- Transporting anyone other than a student without express permission to do so;
- Theft, dishonesty, fraud or falsification of statements or Company records;
- Vandalism, sabotage, or willful damage to or destruction of Company property, or the property of another employee while on Company property or while performing Company business;
- Unauthorized use of a Company vehicle, equipment or resources:
- Operating a company vehicle without a valid driver's license;
- o Failure to record all hours worked;
- Insubordination: A willful refusal to follow a work order or to comply with Company policy, practice or procedure;
- Leaving a work area or facility during the employee's scheduled work hours without supervisor's authorization;
- Violation of Confidentiality and Privacy section of the Handbook; or
- Violation of Conflict of Interest, Other Employment and Business Ethics section in Handbook;
- Sleeping on the job during scheduled work hours.
- Breach of Company policies or performance standards
  - Violating Park Out Privileges section of Handbook;
  - Refusal to accept work assignments or the deliberate disregard of management direction;
  - o Failure to meet performance standards;

- Leaving a work area or facility during the scheduled work day without supervisor's authorization;
- Breach of business ethics or confidentiality and privacy requirements;
- Behavior or conduct deemed offensive, undesirable or unprofessional; or
- Disqualifying criminal or traffic convictions.

#### Employee Hotline

If you have a concern regarding business conduct, ethics or possible violation of the law, contact your supervisor or a member of the Safety, Human Resources, or Legal Departments. If you are not comfortable contacting any of these individuals, you should call the confidential Employee Hotline at 1-877-907-2683. You may also report your concern anonymously. If your concern surrounds a Company decision, you can also follow the steps outlined in the Due Process section of this handbook.

The Company will not retaliate against employees who disclose or threaten to disclose any activity, policy, or practice of the Company that the employee reasonably believes is in violation of a law.

## Employment of Family Members

The Company welcomes your referral of relatives or roommates for employment. All persons are hired on the basis of their qualifications and the requirements of the job. For the purposes of this policy, "relative" includes a spouse, child, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation. Roommate is defined as someone with whom the individual is living or share a living space with.

The Company is committed to fair and equal treatment of all employees, the avoidance of conflicts of interest, and any appearance or practice of favoritism in any aspect of consideration for hire, employment or term or condition of employment.

No manager or supervisor should have a direct reporting relationship with a relative or roommate. In the event that a superior / subordinate situation should develop with a relative or roommate, the relationship must be immediately disclosed to the applicable VP of Operations or Human Resources at 1-800-950-0485. Exceptions to this policy must be approved by the Vice President of Human Resources.

#### Employment References and Verifications

The Company is willing to provide references that are objective and factual. In responding to such requests, the Company will fully comply with all laws requiring release or procurement of information on former or future employees.

## Introductory / Probationary Period

Newly hired employees shall be considered probationary employees for a period of ninety (90) days from their date of hire. During the introductory / probationary period, probationary employees shall be subject to termination without prior warning at the sole discretion of the Company.

Non-scheduled workdays (holidays, summer, spring breaks, etc.) will not be considered in the Introductory / Probationary Period.

#### Job Opportunities, Promotions and Transfers

The Company is committed to promotion from within. When a job opening occurs, all factors in the employee's performance will be considered.

The hiring manager is responsible for determining who is best qualified. You are invited to respond to any job posting for which you meet the minimum requirements.

An employee who transfers to another Company location with no break in service will retain their seniority status accrued at his or her previous location for the purpose of determining the wage rate per the new location wage scale. Seniority will not carry over for route selection. Transfers require the approval of both the current and new manager.

Drivers and monitors who voluntarily terminate employment with the Company and who return within ninety days will retain his or her seniority for purposes of pay only. Drivers and monitors who voluntarily terminate employment with the Company and return after ninety days will lose all seniority.

## Open Door Policy

The Company is committed to dealing with our employees in an open, fair and honest fashion and to respect and recognize each employee as an individual. We believe that open discussion between employees and management is the best method for addressing matters that affect employees. If you have a question about your job or feel that there is a problem with your employment, please feel free to discuss it with your supervisor. If you feel an issue has not been properly resolved or clarified, the Company has an Issue Resolution/Due Process Procedure that provides a formal and orderly method for employees to discuss and resolve their work-related questions and problems with members of management.

#### Issue Resolution / Due Process Procedure

If you are dissatisfied with the way a Company policy is interpreted or applied by our management or if you have an issue that you cannot resolve with your direct supervisor or co-workers, you may bring these concerns forward by using the Company's four-step Due Process Procedure.

You will not be retaliated against or penalized for use of the Due Process Procedure. We trust employees not to abuse the procedure by raising complaints in bad faith, use it for the purposes of delay or harassment, or repeatedly raise complaints that a reasonable person would recognize have no merit.

An employee who fails to raise an issue under this policy until he/she is no longer employed, except for issues related to discharge, shall have no recourse under this procedure.

The Issue Resolution / Due Process Procedure has a maximum of four steps, but complaints may be resolved at any step in the process. Your

complaint will be fully processed until you do not file a timely appeal, or until the right of appeal is exhausted. A decision becomes binding on all parties whenever you do not file a timely appeal, or when a decision is made in the final step and the right of appeal no longer exists.

If you feel you have an appropriate Due Process request, follow these steps:

Step One A written request must be received by the applicable Region Manager within 14 calendar days of the act giving rise to the complaint. If no Region Manager exists for your location, you may write your request to your Human Resource Manager. The Region or Human Resources Manager will investigate the issue, attempt to resolve it, and give a decision to you in a timely manner.

**Step Two** If you are not satisfied with the decision in Step One, you may appeal it to the Vice President of Operations for your applicable Area, in writing, within 14 calendar days of the Step One decision. The Vice President of Operations will take the steps he /she deems necessary to review and investigate the issue and communicate a decision in writing to all parties involved in a timely manner.

**Step Three** If you are not satisfied with the decision in Step Two, you may appeal it to the Chief Executive Officer (CEO), in writing, within 14 calendar days of the Step Two decision. The CEO will take the steps he/she deems necessary to review and investigate the issue and communicate a decision in writing to all parties involved in a timely manner.

<u>Step Four</u> If you are not satisfied with the decision in Step Three, you can choose to submit the issue to binding arbitration. To do so, notify the CEO in writing that you want the matter to be settled by arbitration within 14 calendar days of the Step Three decision.

The Human Resource Manager will thereafter request a panel of arbitrators from the American Arbitration Association (AAA). After

receipt of the panel, the employee and the Company shall rank the panel in order of preference and timely submit the list to the AAA. The AAA will use the rankings in selecting an arbitrator and then notify the arbitrator of his / her appointment. The arbitrator shall answer only the particular question or questions presented in writing by the Company and the employee. If the employee and Company cannot agree, the arbitrator shall decide the issue presented and what, if any remedy, is warranted. In no case, however, shall the arbitrator have the authority to add to, subtract from, or modify any of the policies of the Company. Absent an agreement to apply a different standard, in discharge or discipline cases, the arbitrator shall have the authority to decide whether the employee violated the cited policy, whether the policy has been uniformly applied and whether the discipline / discharge violated any other law, rule or regulation. The arbitrator shall have no authority to establish hours of work, work schedules, wage rates, classifications of employees, or fringe benefits of any kind, unless mutually agreed in writing by the parties. The arbitrator will be requested to render a decision as soon as possible. The decision of the arbitrator will be final and binding on the Company and the employee. Unless the Company and employee agree otherwise, the expenses and fees associated with the arbitrator will be shared equally by the Company and the employee, subject to applicable law.

## Personal Appearance

Our employees' personal dress and appearance impacts our ability to deliver safe and quality service to our customers. The following provisions provide a minimum standard of appropriate attire and grooming for the workplace:

- Employees should maintain a professional personal appearance which includes proper grooming of hair (including facial hair), good personal hygiene including regular showering and bathing, avoidance of strong colognes or perfumes and the regular launder of work clothes.
- Drivers and Monitors are required to wear only non-skid, flat soled shoes with closed toes and heels (one inch or less) that are of sturdy construction. Any shoes which make it difficult to operate bus pedals should not be worn.

- A Maintenance employees are required to wear work boots with non-skid, oil-resistant soles that are of sturdy construction.
- Office employees in all facilities are to dress in a manner that is safe, professional and creates a favorable image of the Company.
- Employees should wear well-fitting, neat and clean clothing.
- Employees should not wear clothing that is too tight, revealing, distressed or impedes one's ability to perform their job.
- Employees should not display anything that depicts inappropriate messages, gestures, images or logos (including alcohol and tobacco logos or references to alcohol, tobacco or drug use). This includes on their clothing or their person. Employees who do not meet minimum acceptable standards of appearance and hygiene may be removed from duty until they remedy any condition in question.
- Employees may be asked to adhere to a local or modified dress code policy. Additionally, in the event of a special occasion, customer request or special assignment, dress code requirements may be modified.
- ➡ It is specifically noted that nothing in this Policy is intended to interfere or conflict with an employee's legally protected religious beliefs and/or practices provided such accommodations do not pose a health or safety risk.

## Timekeeping Procedures\*

The Company will pay non-exempt employees (i.e., those paid an hourly rate) for all hours worked.

The Company prohibits all "off the clock" work. As such, hourly employees must accurately record all time worked on a daily basis using the timekeeping methods prescribed by their supervisor (i.e., Oracle OTL, Dashboard, Zonar, Exceptions reports, etc...). Time worked includes, but is not limited to: overtime hours, time spent in meetings, time spent performing driving, fueling, pre-trip and post trip duties, time spent doing clerical or office work and bus cleaning. Hourly employees may not record fewer hours than those actually worked, nor

may they record more hours than actually worked. All hours must be captured on the day the hours are actually worked.

Tampering with another employee's time record (i.e., clocking in or out for them) or falsifying your own time record is dishonest. Any employee who engages in such conduct can be subjected to discipline, up to and including discharge, for a single event.

Employees must promptly review their earnings statements for accuracy. Employees who disagree with the record of hours worked or pay rates must timely report the discrepancies to their CSC payroll contacts or their supervisors. Employees who are not comfortable speaking with these individuals, or if after speaking with either of them still have concerns that have not been fully addressed, should contact: (1) the Human Resources Department at 1-800-950-0485; (2) the Employee Hotline at 877-907-2683; or (3) their Area COO or Department Vice President. The Company will handle all concerns raised discretely and will not retaliate against any employee who raises such a concern.

#### **Drivers and Monitors Only**

The Company will provide all drivers and monitors with a work schedule for each type of work to be performed. The work schedule will consist of: (1) a start time; (2) an end time; (3) the day of the week for each piece of work (if different); and (4) the total work time scheduled. Employees must review the work schedule with their supervisor and sign it before commencing any work under the schedule. If a supervisor informs an employee that his or her work schedule has changed, the employee must review and sign the new work schedule before commencing additional work.

Drivers and Monitors who complete work outside of their work schedule and are not using the Dashboard to record their time must submit apaper time record (i.e., timecard, an Exception report or Payroll Adjustment Form) to their supervisor for the additional time worked. All Drivers and Monitors who know in advance that they must work outside of their scheduled time should seek pre-approval from their supervisor. The failure to do so could subject an employee to discipline.

In no event, however, will a supervisor refuse an employee's time record, whether in paper or electronic form, when work is performed outside of an employee's work schedule.

#### Solicitation

In order to prevent disruption in the operation of the Company, interference with work, or inconvenience to other employees, the following rules apply to solicitation, distribution and sale of goods or services of any kind. As used in this section, "working areas" means those areas on Company property, including Company buildings and the parking lots, walkways and driveways servicing such buildings (as long as the Company is the sole tenant of the building) and Company vehicles, in which Company business is conducted, excluding such locations as lunch rooms, cafeterias, break rooms, employee parking lots where no Company vehicles are parked, and other areas in which employees are permitted while not working. "Working time" means and includes all time for which an employee is actually performing services for the Company. Working time does not include lunch periods, break periods or other similar periods in which employees are not, and are not scheduled to be, performing services for the Company.

- Solicitation by an employee and non-employee of any Company employee to promote or support any cause or organization is prohibited during employees' working time.
- Work/non-business related literature or other materials, of any kind, is prohibited during employees' working time and in any working areas.
- Except for legitimate business reasons, non-employees are prohibited from entering any working areas or other areas on any Company property not open to the general public. All Company visitors shall be required to follow established checkin procedures to gain access to Company property.
- Bulletin boards are to be used to display Company approved work- and business-related notices and information only.
   Bulletin boards may not be used to solicit for any organization, cause or purpose whatsoever. Bulletin boards are monitored by

- local management. If there are any questions, please consult your local Human Resources Manager.
- Employees may not use Company equipment and systems (including Company-provided computers, Internet and e-mail, copiers and telephones) for non-work-related purposes, including for personal and any solicitation-related communications.

Note: While the Company generally prohibits solicitation activities of any kind (as explained and defined in this section), there may be a small number of isolated instances where the Company may sponsor a charity or a charitable event. This section does not restrict employee conduct and communications in these rare situations.

Should you have any questions about this, please contact your Area Human Resources Manager.

#### Employment at Will

An at-will employment relationship exists between the Company and its employees with either party having the right to terminate the employment relationship at any time, for any reason, with or without cause or notice. Although an at-will employment relationship exists, the Company will not terminate employees for unlawful reasons. The relationship will remain an "at will" relationship unless and until it is changed to a contractual relationship through a valid and binding contract entered into writing by an Officer of the Company.

As a professional courtesy, if you are going to resign, we ask that you give your supervisor at least two weeks written notice (four if you are a manager or supervisor).

#### Workplace Rights

The Company respects the dignity of all its employees and recognizes fundamental principles of human rights as identified in the Universal Declaration of Human Rights.

The Company will uphold fundamental human rights in everything we do. The Company is committed to taking steps to identify and prevent interference with fundamental rights and provide for the respectful exercise of those rights by all persons, consistent with the safe, effective and efficient performance of work.

The Company recognizes that the ideal of free human beings enjoying civil and political freedom and freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy their civil and political rights, as well as their economic, social and cultural rights. The Company further recognizes that the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, and that certain fundamental human rights also extend to the workplace.

The Company recognizes that the challenge of maintaining these standards are unique in different parts of the world and create challenges for business in applying these principles, while giving due respect to local culture, laws, and norms. Consequently, in applying this Policy, the Company shall give due regard to the law of the land where the policy is applied.

The Company also recognizes that many persons and groups have differing views on human, civil, and political rights that extend beyond the fundamental principles expressed in the Universal Declaration of Human Rights. The Company welcomes the discussion and debate on these issues, but does not believe that it is appropriate to attempt to impose our views on others. The Company does believe, however, that we can, and do, influence others through leading by example, and recognizes that it cannot be the arbiter of these differing views.

The Company also recognizes that fundamental rights are not subject to negotiation or compromise. The Company will consider policies or practices that go beyond such fundamental rights. But in doing so, the Company will be mindful of its obligations to its shareholders and customers, and its duty to avoid adopting standards that so significantly exceed local requirements that doing so would place the Company at an economic disadvantage to its competitors.

Consistent with the foregoing, all persons employed by the Company, shall be extended the following workplace rights, without distinction of any kind, such as race, color, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, birth, or other status.

- Everyone shall have the right to freedom of association with others, including the right to form and join trade unions. The Company believes that Freedom of Association also means that no one should be compelled to provide financial support to associations or causes which are inconsistent with their personal beliefs.
- The right to vote in secret is absolute and should not be restricted in any manner. When consistent with local law, everyone shall have the right to vote for representatives in genuine elections which shall be held by secret ballot, guaranteeing the free expression of the will of the electors.
- Everyone shall have the right to freedom of expression. This
  right shall include freedom to seek, receive and impart
  information and ideas of all kinds, either orally or in writing, or
  through any other media of their choice, and the freedom to
  hold opinions without interference.
- 4. Everyone shall have the right to obtain or impart information necessary to make an informed choice, a necessary corollary to the rights of freedom of association and secret ballot elections for representatives. Where necessary, the Company will ensure that (1) employees have the information necessary to make a fully informed choice on the important issue of representation and (2) that no party will unlawfully prevent the dissemination or expression of any views on representation.
- Everyone shall have the right to protection against interference with their privacy, family, home or correspondence, or attacks on their reputation, and no one shall be subjected to such interference or attack.

 Everyone shall have the right to their property. No one shall be deprived of their property, or the right to exercise control of their property, whether real, tangible or intangible.

### Workplace Responsibilities

The exercise of the rights provided for in this section carries with it special duties and responsibilities by those claiming such rights for themselves or on behalf of others. Therefore, the exercise of these rights may therefore be subject to the following parameters:

- Recognizing that the workplace is for work, these rights must be exercised in a manner that does not interfere with the safe and efficient performance of work by those persons on working time.
- Such responsibilities as are necessary for the purpose of securing due recognition and respect for the rights and freedoms of others.
- Such responsibilities as are necessary to prevent conduct or statements the primary purpose of which is to damage the reputations of others.

The Company will not tolerate conduct by any person or organization that seeks to intimidate, harass, or coerce employees in the exercise of these rights.

## SAFETY AND LOSS CONTROL

### Safety Goal

Our goal is zero accidents and injuries. No employee or location is allowed a certain number of accidents or injuries. We will focus on preventing accidents and injuries, and eliminating or minimizing hazards. Our objective is to use processes that emphasize safety first and train our employees to consistently perform their work safely. Through continuous improvement, we reduce the number of accidents and injuries to an absolute minimum, meeting and surpassing the best experience of other similar operations.

#### Safety First

The safety of each employee and passenger is our first commitment. Accident and injury prevention is so important that the Company will give it precedence over operating productivity. No job is so important and no order so urgent that we cannot take time to perform work safely. The Company will recognize no substitute for safety.

#### Shared Responsibility

Safety is a shared responsibility. Each employee is responsible for:

- Making safety a part of his or her job.
- ☐ Immediately reporting any accident, incident or injury to supervisors or managers.
- Reporting any unsafe vehicles or safety hazard to a supervisor. If you feel the issue has not been addressed and the safety hazard still exists, contact the Employee Hotline at 1-877-907-2683.
- Proactively preventing accidents and injuries.
- Cooperating with all aspects of the Company's safety process.
- Continuously exercising caution while performing work duties.
- Actively protecting him- or herself, fellow employees and passengers.
- Taking no unnecessary chances that could result in an accident or injury.

- Using all personal protective equipment as required by the Company.
- ☐ Compliance with all rules, regulations, processes and practices, including the Company Drug and Alcohol policy, and following safe driving techniques for school bus as trained upon.
- Detecting and reporting unsafe conditions, practices and behavior.
- Offering suggestions to improve safety performance and working conditions.
- Attending all mandatory safety meetings and safety training.

#### Drugs and Alcohol\*

All employees are expected to comply with the Company Drug and Alcohol Policy. A copy of the policy is available to all employees on the Company intranet or can be obtained by contacting your Supervisor, Manager or calling Human Resources at 1-800-950-0485.

#### Temporary Modified Duty

Modified duty assignments may be provided at Company discretion consistent with operational needs and are only available to occupationally injured employees or where required by law.

A modified duty assignment is temporary in nature and any such assignment and its duration will be reviewed on a periodic basis.

#### Motor Vehicle Record Standards\*

The motor vehicle records of all employees with positions requiring a CDL will be thoroughly reviewed upon hire and periodically as dictated by policy and local requirements. The circumstances surrounding any moving violations will be examined. These employees must meet the following standards for driving records. Some of these standards may exceed DOT requirements due to the priority the Company places on safety.

- No driving while intoxicated or driving under the influence for at least 10 years.
- No homicide, manslaughter, or assault arising out of the operation of a motor vehicle.

- No more than two moving violations within the past 36 months.
- No major violations within the last 36 months. Major violations include, but are not limited to:
  - Failure to stop at the scene of an accident (hit and run),
  - o Driving while license is suspended or revoked,
  - o Reckless driving,
  - Possession of opened container of alcoholic beverages,
  - Speed contest, drag racing, or attempting to elude an officer of the law, or
  - Conviction for driving more than 15 miles per hour or more over the posted limit.

## **Physicals**

Employees must undergo physical examinations as required by contract, state or federal law. Drivers must maintain and possess a DOT physical as a condition of eligibility for driving duty for our Company. DOT physical cards must be carried at all times while operating a vehicle.

## Safety Meetings and Safety Events

Attendance at safety meetings is mandatory. If an employee misses a safety meeting, attendance at a make-up session is required. Employees shall be paid for attending mandatory safety meetings at the established rate for meetings.

In addition to safety meetings, safety events may be held; however, employee attendance at these events is not mandatory.

#### No Smoking on Company Property

As a part of providing a healthy and comfortable work environment for our employees, we prohibit smoking and the use of tobacco products on Company property, except in those areas specifically designated for smoking. The use of tobacco products is also prohibited while operating a Company-owned or leased vehicle at any time. An employee smoking and using tobacco product is prohibited on any school campus and when an employee assists passengers entering or leaving the vehicle or participates in customer / employee conversations. This section also applies to the use of artificial cigarettes.

### Traffic Violation and Criminal Arrest / Violation Reporting\*

If anything happens which could affect your professional driving license, medical examiner's certificate, or other items necessary to perform the essential functions of your job (such as legal charges or medical conditions), you are responsible for immediately informing your supervisor.

#### Traffic Violation or Operator's License\*

All traffic violations must be reported to your location manager immediately if you are on duty, or no longer than before your next work day starts if you are not on duty when you receive a violation. This should include a copy of any notice or citation form you received.

If you receive notification of your CDL (or standard driver's license depending on the type vehicle you drive) being suspended for any reason, you must inform your manager immediately. This should include a copy of any notification form you may have received.

Criminal Charges or Other Law Enforcement Contact\*
If you are arrested for any reason, or convicted of any criminal statute by any jurisdiction in any state or adjudicated against in a civil proceeding, you must report this occurrence immediately to your manager. This notice will be in writing to your manager along with a copy of any court or other documents you received.

The Company will independently investigate the facts and circumstances relating to any traffic violation, arrest or criminal charge and a determination will be made regarding employment status based on the results of that investigation.

#### Wildlife

Exposure to wild animals can pose or aggravate health problems for passengers and employees. In order to mitigate exposure to wild animals, all trash on Company property, including buses, must be picked up and placed in a secure location each and every day. The feeding of wild animals on Company property is prohibited.

If wild animals are found on Company property, local animal control or the local Sheriff should be contacted to handle the situation.

Employees are prohibited from trapping or harming wild animals.

Employees may be asked to cooperate with animal control personnel or the local Sheriff to ensure that animals are removed from the premises as safely as possible.

#### ABSENCE AND TIME OFF

#### Attendance

The success of our business depends on our employees and availability to meet the expectations and needs of our customers. As such, every employee must play a major role in the business by reporting to work on time and on a daily basis. Absenteeism puts an extra burden on your fellow employees and decreases company opportunities for growth and productivity.

If you are going to be absent from work due to illness or emergency, notify your supervisor as soon as possible, but no later than one hour before sign-on time. When you are returning to work, notify your supervisor the workday before you return.

An occurrence system shall be used to track absences. An occurrence is defined as a scheduled workday (or any part of a workday) when an employee is late (does not check in at scheduled time) or not at work. Except as noted below, consecutive missed days shall count as one occurrence under the policy provided that sufficient written documentation substantiating illness or injury is submitted to the Company upon the employee's return to work.

An employee who is absent from work without notification will be considered a no call / no show. An employee shall be terminated after three (3) no call / no shows. Each day an employee is absent without calling in will be considered a no call / no show. For example, an employee who is absent Monday and Tuesday without calling in will receive two no call / no shows for the two days of absence.

If you are absent without notifying your supervisor for more than three days or you fail to return from an approved leave, we will assume that you have abandoned your job and your record will show a voluntary termination without proper notice.

The maximum number of occurrences in a school year is eight (8). Attendance occurrences do not carry over from one school year to the next.

The following progressive discipline is to be taken as a result of chargeable occurrences accumulated during the school year:

3 occurrences	Written verbal warning
6 occurrences	Written warning
8 occurrences	Final written warning
9 occurrences	Termination

If you have a medical condition for which you may be entitled to time off as an accommodation under the Americans with Disabilities Act or other applicable laws, you must request the accommodation in advance by contacting your supervisor or Human Resources. Approved uses of military duty, jury duty, bereavement, FMLA, personal leave, and other prescribed leaves will not be counted as an occurrence.

#### Administrative Leave

The Company will provide an unpaid leave to provide adequate time and opportunity to investigate observed or reported incidences of misconduct.

#### Deferred Leave

The Company will provide an unpaid leave when a pending civil or criminal matter poses a risk to an employee's license, certification or other job qualifier(s) or ability to perform the job. The maximum length of deferred leave is one month for each year of service, for a maximum of six months. Deferred Leave should be approved by the Area Human Resources Manager.

#### Layoff

Although we always attempt to avoid layoffs, the Company may find it necessary to reduce employment because of changes in contracts or for other business reasons. Driver and monitor layoffs will be conducted in

accordance with the employees' length of service and their ability to perform available jobs. Full-time staff layoffs will be conducted in accordance with the employees' length of service and their ability to perform available jobs, as well as the following evaluation criteria: job performance, safety record, transferability of skills, promotion potential to other available positions and availability to transfer to another facility.

Employees selected for layoff will be given as much notice as administratively practicable.

#### Military Leave

The Company is committed to ensuring that employees who must leave their jobs to serve in the "uniformed services" as defined by the Uniformed Services Employment and Reemployment Rights Act ("USERRA"), or under similar state or local laws, enjoy all the rights they are entitled to by law.

To qualify for reemployment rights, an employee must have left his or her job to perform voluntary or involuntary service in the "uniformed services." This includes time away from work for purposes of an examination to determine fitness for military service. Employees will not be paid for military leave. However, they may use any available accrued paid time off, such as vacation or sick leave, to help pay for the leave.

#### Re-employment Rights

The Company will not discriminate against any eligible employee who takes a military leave of absence. Absent special circumstances, such as undue hardship or dramatic changes to the Company's business, these employees are entitled to rights upon their return to the extent provided by law. This means that returning employees will be promptly placed in the position he/she would have had, had the employee not taken military leave. If for some reason, the employee is not qualified to perform that position despite the Company's efforts to qualify the employee, then he/she will be placed in the nearest approximation to his/her former position or the position he/she would have had with full seniority.

Returning employees will also be entitled upon reemployment to the seniority and other rights and benefits they would have had, had the employee not taken military leave. During periods of absence due to qualifying service in the uniformed services, employees are entitled to continuing coverage for himself or herself (and covered dependents, if applicable) until such time as the date on which the employee fails to return from service or apply for reemployment, not to exceed a maximum of 24 months. Employees who elect such coverage will be required to pay premiums on a timely basis which costs may increase due to the length of service.

To qualify for any benefits upon return, an employee must demonstrate they have been released from such service under honorable or general conditions. The Company reserves the right to refuse reemployment rights to an employee who is absent from employment due to military leave for a cumulative period of more than five years, to the extent permitted by law.

#### Employee Obligations

To qualify for re-employment rights, eligible employees must do the following:

- Provide adequate, advance notice of impending service to your Human Resources, who may require contact information for the employee's military officer. Notice should be provided at least 30 days in advance of the leave or as far in advance as is reasonable under the circumstances.
- Report back to work or apply for reemployment within the required time lines imposed by law. In general, this will mean that the employee must apply for reemployment: (1) as soon as possible if the service period is less than 30 days; (2) within 14 days if the service period is more than 30 but less than 180 days; and (3) within 90 days for longer periods of service following discharge or release. Any failure to reapply within the applicable deadlines will subject the employee to the Company's customary policies pertaining to leaves of absence.

- Separation or dismissal from service is not disqualifying.

  Although an employee's failure to provide discharge or release paperwork will not result in a delay of reemployment, such documentation is required to establish reemployment rights.

  The continued failure to provide such documentation could result in a subsequent denial of benefits and / or termination.
- ⊞ Employees with questions about their eligibility for military leave, their reemployment benefits, and what is required of them to secure those benefits, should contact their Area Human Resources Manager.

#### Personal Leave

In special circumstances, the Company may grant leave for a personal reason, but never for taking employment elsewhere or going into business for oneself. All personal leaves must be requested in writing with an explanation of why the leave is needed. Personal leaves may be granted for up to 30 calendar days. After 30 calendar days, additional time off may be granted on a case-by-case basis.

Employees who are not eligible under state or federal Family and Medical Leave regulations, may request personal leave for a serious health condition that makes the employee unable to perform his or her job. The Company reserves the right to request a fitness-for-duty report upon the employee's return.

An employee returning from a personal leave will be considered for available positions, providing he or she meets the job requirements and left in good standing. The Company does not guarantee his or her same or equivalent position, hours, or other employment terms upon return from personal leave.

#### Bereavement Leave

The Company will provide an employee with up to three paid days of absence, plus additional unpaid days if needed for travel, for bereavement of a family member or member of the same household, including spouse, parent, child, sister, brother, grandparent, grandchild or parent-in-law.

#### Jury Duty Leave

The Company will grant a leave of absence for any employee summoned for jury duty. To obtain approval for jury duty, show your jury summons or an authentic copy to your supervisor as soon as possible after you receive it. That way, arrangements can be made to handle your work while you are gone. The Company will pay you the difference between jury duty pay and your base pay up to a maximum of 15 working days in any calendar year; simply provide a copy of your jury service and pay documentation to your supervisor.

#### Voting

Employees will be granted time off for voting, in accordance with applicable state law. Employees requiring time off to vote must apply in writing to their supervisors before Election Day.

#### Family and Medical Leave (FMLA)

The Company is committed to providing eligible employees with leave afforded under FMLA or similar state laws. If employees have any questions concerning FMLA leave, they should contact their Area Human Resources Manager.

#### Basic FMLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12 month period. The 12 month period is determined by a rolling calendar. Employees may take FMLA leave intermittently or on a reduced leave schedule (that is, in blocks of time less than the full amount of the entitlement) when medically necessary or when the leave is due to a qualifying exigency. Leave may be taken for any one, or for a combination, of the following reasons:

- To care for the employee's child after birth, adoption or foster care;
- To care for the employee's spouse (including a same-sex spouse where recognized legally), son, daughter, child for which you are legal guardian, or parent (but not in-law) who has a serious health condition;

- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and / or
- Because of any qualifying exigency\* arising out of the fact that the spouse, or a son, daughter or parent of the employee is on covered active duty or has been notified of an impending call or order to covered active duty in the Armed Forces.

#### Military Caregiver Leave

The Family and Medical Leave Act (FMLA) also entitles an eligible employee of a covered employer to take up to 26 workweeks of military caregiver leave in a single 12-month period to care for a covered service member with a qualifying serious injury or illness incurred or aggravated in the line of duty on active duty. The employee must be the spouse, son, daughter, parent or next of kin of the covered service member.

#### Employees Eligible for FMLA Leave

To be eligible for FMLA leave, an employee must: (1) have worked for the Company at least 12 months; (2) have worked for at least 1250 hours of service during the 12 month period immediately preceding the commencement of the leave; and (3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

#### Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause the Company substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. The Company will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA

<sup>\*</sup>Qualifying exigencies for which an employee may take FMLA leave include making alternative child care arrangements for a child of the deployed military member, attending certain military ceremonies and briefing, or making financial or legal arrangements to address the military member's absence.

leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

#### Employee FMLA Leave Obligations

Employees who take FMLA leave must timely notify the Company of their need for FMLA leave. To trigger FMLA leave, an employee must inform his or her manager of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow the Company to determine that the leave is FMLA-qualifying.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to the Company's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be delayed or denied. When employees seek leave due to FMLA-qualifying reasons for which the Company has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

#### Timing of Employee Notice

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the Company notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

Employees who have certification for intermittent leave must use their intermittent leave in accordance with their certification and provide as much notice for the need for leave as practicable (i.e., regularly scheduled doctor's appointments). In all cases, employees must follow

absence reporting procedures when notifying the Company of the need for intermittent leave and must designate their absence as intermittent FML leave at the time they are reporting the absence. Failure to follow these procedures can result in the Company's refusal to treat the absence as FML-related and will subject the employee to the attendance policy.

Employees must also follow the Company's usual and customary notice and procedural requirements when requesting FMLA leave, absent unusual circumstances, by first going to the manager and requesting the leave so the manager will have time to contact the Human Resource Department to see if the employee meets the qualifications for FMLA. If employees fail to comply with these requirements, and no unusual circumstances justify the failure to comply, FMLA leave may be delayed or denied provided that employees have not otherwise provided timely notice as required by the FMLA regulations.

# Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave) Depending on the nature of FMLA leave sought, employees will be

required to submit medical certifications supporting their need for FMLA-qualifying leave. It is the employee's responsibility to provide the Company with timely, complete and sufficient medical certifications. Whenever the Company requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after the Company's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts.

#### Second and Third Medical Opinions

If the Company has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at the Company's expense. If the opinions of the initial and second health care providers differ, the Company may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by the Company and the employee.

#### Medical Re-Certifications

Depending on the circumstances and duration of FMLA leave, the Company may require employees to provide recertification of medical conditions giving rise to the need for leave. The Company will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

### Submit Certifications Supporting Need for Military Family Leave

When an employee seeks leave due to qualifying exigencies arising out of the covered active duty of a covered military member, the Company may require the employee to provide information to certify the leave is appropriate under FMLA.

#### Substitute Paid Leave for Unpaid FMLA Leave

Employees must use any accrued paid time off while taking unpaid FMLA leave. The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leaves and the paid time will run concurrently with an employee's FMLA entitlement.

Pay of Employee's Share of Health Insurance Premium's Employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless the Company notifies employees of other arrangements, whenever employees are receiving pay from the Company during FMLA leave, the Company will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working. If FMLA leave is unpaid, employees must pay their portion of the group health premium.

Coordination of FMLA Leave with Other Leave Policies
The FMLA does not affect any federal, state or local law prohibiting
discrimination, or supersede any State or local law or applicable
collective bargaining agreement which provides greater family or
medical leave rights. For additional information concerning leave
entitlements and obligations that might arise when FMLA leave is either

not available or exhausted, please contact your Area HUMAN RESOURCES Manager.

If employees believe their FMLA rights have been interfered with, they should contact the Human Resources department immediately at 1-800-950-0485, or submit a request for Due Process. The Company will investigate any FMLA complaints and take prompt and appropriate remedial action to address and / or remedy any FMLA violation.

#### Return to Work / Reinstatement Policy

Upon returning from any absence from duty, whether voluntary or involuntary, employees may be required to submit to a:

- drug or alcohol test
- fit-for-duty physical exam
- new Motor Vehicle Record check
- retraining

Upon returning from any absence from duty, drivers and monitors / aides and maintenance employees must disclose any change to, or additional medications they have been prescribed and / or are currently taking. Failure to do so may be in violation of Federal, State and Company requirements. If necessary, the employee may be referred to a DOT or other appropriate certifying physician for evaluation of the medication and its use in relation to the required duties.

#### Domestic Violence

If you or a member of your family or household are a victim of domestic or sexual violence, you may be eligible to take an unpaid leave of absence to seek treatment for injuries related to such violence, to recover from such violence, to obtain or seek relief or legal services related to such violence, or to take other necessary actions to ensure the victim's safety from reoccurring acts of violence. Eligible employees may also request reasonable accommodations in the workplace to ensure the safety of the victim while at work. The Company is committed to providing eligible employees with such entitlements in accordance with applicable state and federal law. If you have any questions concerning your need for such entitlements, please address

them with your immediate supervisor or a member of the Human Resources department. The Company will maintain the confidentiality of the employee's situation and need for leave to the maximum extent permitted by law.

#### Additional Leave Legislation

From time to time, the states, counties and/or cities in which we operate may enact new leave provisions (either paid or unpaid). In such cases, the Company will take appropriate action to ensure our employees are informed of and afforded these new leave provisions.

#### **OPERATIONS**

#### Passenger Safety

The Bus Driver and Monitor are, as a function of their job, responsible for the safety of passengers while loading, riding and unloading their bus. The Driver and Monitor, in conjunction with their CSC staff, maintain the authority to make decisions related to their passengers' safety, even when their routes have adult chaperones on the bus. This includes making the decision to stay on or get off a bus that has encountered a mechanical issue along the way of their route. Should the Driver or Monitor's decision be questioned by the adult chaperone on the bus, the issue should immediately be raised to their CSC's leadership for their input.

Absent unusual circumstances such as a fire, flood or immediate threat of harm, the Driver must gain CSC Leadership approval before allowing passengers to exit the bus at an unauthorized stop.

#### Accident Reporting\*

All accidents and incidents must be reported immediately to your supervisor, regardless of severity. Failure to immediately report an accident or incident may result in termination of your employment for even the first offense.

#### Bus Monitors\*

Monitors must be seated in a location on the bus that allows them to effectively supervise the riders. Seating locations may be directed by your supervisor or by a documented customer request. Monitors must assist the driver in keeping the bus and adaptive equipment clean. No sleeping is allowed at any time. Monitors cannot make phone calls, text, listen to music, read or engage in any other activity that takes attention away from the route and passengers.

## Cell Phone and Other Personal Communication Device Usage\*

Cellular telephones, including hands-free and wireless devices, or other portable devices shall not be used by the driver while the school bus is

in motion or while the driver is supervising the loading or unloading of students. The use of a cell phone includes conventional use, hands-free voice, Bluetooth use, text messaging, SMS, MMS, Instant Messaging and email / internet based information sharing. The use of a cell phone is not only unnecessary but also dangerous when operating a vehicle or supervising students / clients and is illegal in most areas. The only approved type of communication using cell phones is using the two-way features on phones so equipped at locations that do not have two-way radio equipped vehicles for official business. When operating a Company vehicle, a driver's personal cellular phone must be in the "off" position and put away (Company issued cellular phones may be in the "on" position while the vehicle is in operation, but may not be answered while the vehicle is in motion). Bus Monitors may not use cell phones while riding a route unless directed by a supervisor. If cell phone use is required for company business, the bus must be pulled over and turned off before the cell phone can be used.

Vehicle operators will not wear portable headphones, earphones, Bluetooth, or other devices while operating company owned or leased vehicles.

This extends the restriction to monitors and bus aides and mechanics (while operating a company vehicle), as well as operators of vans and any other type vehicle in which the Company transports its riders. For the same safety reasons, full attention must be given to the job of safely operating your vehicle and providing safe transportation.

#### Child Check \*

All Drivers and bus monitors / assistants (if present) shall complete a thorough check of the vehicle for students immediately following the end of each route, immediately following the end of the shift during the post-trip vehicle inspection, and prior to leaving the vehicle unattended at any time .

**Note:** For routes where the end of route child check inspection is not possible at the school site or immediately after the last student drop off, the Company will designate a close by, safe location where the child check inspection can be safely performed.

To complete a child check inspection, the driver (and monitor / assistant if present) shall turn on the interior lights of the vehicle and complete a slow and deliberate walkthrough inspection (front-to-back and back-to-front), checking for students on and under all seats and interior spaces.

Prior to leaving the vehicle, the driver shall complete the child check inspection and place the "Child Check – This Vehicle is Empty" sign in the back window of the vehicle facing outward to indicate that the vehicle has been checked and is empty,.

Before driving the vehicle, the "Child Check – This Vehicle is Empty" sign shall be removed from the back window and stored in the front of the vehicle in a safe place. The driver is the only person who may place or remove the "Child Check – This Vehicle is Empty" sign.

Failure to comply with the requirements of the Child Check policy will result in corrective action up to and including termination of employment. If a child is left unattended on the vehicle, regardless of the length of time, both the driver and bus monitor / attendant (if present) will be terminated on the first offense.\*

#### Eating and Drinking in a Company Vehicle

Employees must not eat or drink while operating a company vehicle or when students are on board. Any food or beverages transported in a Company vehicle by a Company employee must be contained in a spill-proof container.

#### Engine Idle Reduction\*

Idling is strictly prohibited except in the following circumstances:

- 1. During those portions of pre-trip or post-trip inspections that require operation of the engine.
- 2. During those portions of diagnostic or maintenance activities (repair or service) that require operation of the engine.
- 3. If required to operate headlights or four-way flasher warning lights.
- 4. During operation of wheelchair lifts.
- 5. To prevent a safety or health emergency.

- 6. If required by state, provincial, or local law (e.g. in some cases of extreme temperatures).
- 7. If required by contractual conditions which are not inconsistent with state, provincial, or local motor vehicle idling regulations.
- 8. If a manager or supervisor provides written authorization under other exceptional circumstances but in no event may a manager or supervisor provide written authorization to idle in violation of state, provincial or local motor vehicle idling regulations. Any such written authorization must be kept on-site in the files of the manager or supervisor.

Under no circumstances may a bus engine be idled while the bus is unattended or while it is being fueled.

#### Fueling\*

Fueling is considered any process by which any employee dispenses fuel into a vehicle or approved fuel container. Vehicles must be kept fueled to a level of at least half-full at all times. Failure to keep a vehicle properly fueled will result in disciplinary action. Under no circumstances should a vehicle be fueled with passengers on board. Employees will be paid for all time spent fueling vehicles.

#### Maintenance of Work Areas

You are responsible for keeping your work area, including your vehicle, clean and orderly with equipment and supplies provided by the Company. Supervisors are to assist employees in understanding our Company's cleaning standards for our Customer Service Centers or facilities. Employees will be paid for all time spent cleaning vehicles.

#### Maintenance Shop Area

Any non-maintenance personnel must have permission to enter the maintenance area, must comply with all maintenance shop policies and must wear required personal protective equipment.

#### Park-Out Privileges\*

For Company business reasons, certain employees may be permitted to park a Company vehicle at or near the employee's residence. All employees "parking out" must complete the Park-Out Authorization

Form and receive management approval on an annual basis. Any change to information reported on the Park-Out Authorization form requires a new form to be submitted and approved. It is the employee's responsibility to notify the Company of an expected change in the facts reported on the Park-Out Authorization form in advance of the change occurring. The Company, at its sole discretion, reserves the right to approve or deny park-out requests, in the best interest of the Company.

Company vehicles are not to be used for personal business. Employees shall park Company vehicles off public streets when possible and in a safe and secure area taking all reasonable proactive measures to ensure the security of the vehicle. Employees must comply with all local ordinances and permitting procedures and must provide a properly completed Permission to Park form to their supervisor if they intend to park their bus on property they do not own.

All employees who park out grant and allow the Company access to the vehicle at all times, regardless of the parking location, in recognition that the vehicle is the property of the Company. All parking locations must provide ample access to the vehicle. Further, employees must comply with any Company request to return the Company vehicle to the CSC. Employees must comply with all other Company policies when parking out.

The Company is not responsible for damage that may occur to an employee's property or parking location as a result of the park-out. Employees will be responsible for any parking tickets issued on a park-out vehicle within the employee's control. Employees are expected to lock and safeguard the vehicle in a prudent manner at all times. The Company requires that no personal items other than incidentals be stored in the Company vehicle. The Company is not responsible for theft or damage to personal items.

For purposes of this policy, employees will be paid for travel time including from their approved park-out location to their first pickup, and their last drop off to their approved park-out location. Employees will not be paid for travel time when the use of the Company vehicle is not required to attend Company functions (e.g. meetings, social events).

This policy shall not be construed to create a contractual right for any employee. The Company, at its sole discretion, reserves the right to alter, amend or terminate this policy in its entirety, or for any individual employee, at any time with or without notice.

The Company reserves the right to discontinue park-out privileges at any time, as corrective action or due to business considerations.

#### Passengers Other Than Students\*

No riders, other than students, Company or school district personnel, are allowed on the bus without prior approval by the local manager.

#### Personal Protective Equipment

The purpose of the Personal Protective Equipment (PPE) is to protect individuals from exposure to work place hazards and the risk of injury. PPE will be used in conjunction with other safety prevention controls. Personal protective equipment will be provided, used, and maintained when it has been determined that its use is required to ensure the safety and health of our employees and that such use will lessen the likelihood of occupational injury and / or illness.

Employees who are required to use personal protective equipment (i.e., safety glasses, high visibility vests, ear protection, goggles, face shields, gloves, shoes, ice cleats, etc.) are responsible to ensure the equipment is in good working condition, fits properly and is worn correctly. If you believe your PPE is damaged or otherwise ineffective, notify your supervisor immediately.

Employees who fail to comply with the PPE requirements may be subject to discipline.

#### Personal Vehicles on Company Property

Employees are requested to park in designated areas, and follow the speed limit on all Company-operated properties, which is 5 mph. Although you may be parking on Company premises, the Company is not responsible for any damage that may occur to your vehicle or its contents.

#### Preventable Accidents\*

The Company's goal is zero accidents. The Company reserves the right to determine appropriate corrective action for a preventable accident, based on cause, severity, injuries, damage, negligence, the employee's safety record or other contributing factors. No employee of the Company is allowed a certain number of preventable motor vehicle accidents. It is specifically noted that an employee who has a preventable rear-end accident may be disciplined up to and including discharge for a first offense.

#### Post-Accident Retraining

Retraining should be based on the primary or root accident cause, secondary or associated accident causes and any defects noted in the behind-the-wheel evaluation. It can include behind-the-wheel training, accident scene review, classroom training, safety films, and other training resources or materials. Employees will be paid for retraining at the appropriate training rate of pay.

The following corrective action procedure is the minimum requirement where a motor vehicle accident (MVA) is determined preventable. This procedure does not apply to For Record Only (FRO) vehicle accidents.

#### First Preventable Accident

- Retraining is mandatory. The employee must be removed from safety-sensitive work duties until retraining is completed.
- A written warning (first notice), accident retraining form, and completed driver evaluation form will be placed in the employee's personnel / accident file.

#### Second Preventable Accident

- Retraining is mandatory. The employee must be removed from safety-sensitive work duties until retraining is completed.
- A written warning (second notice), accident retraining form, and completed driver evaluation form will be placed in the employer's personnel / accident file.

#### Third Preventable Accident

- If this is the third preventable accident within a 24 month rolling period, the employee will be terminated.
- ☐ If this is the third preventable accident within a 36 month rolling period, the employee will be placed on Administrative Leave while the case is reviewed by the driver's manager. The driver's manager will make a recommendation to the Area Director of Safety and Region Manager, who are responsible for making a determination as to whether to retain or terminate the employee. Any employee retained after a third preventable accident within a 36 month rolling period must complete the training plan approved by the Area Director of Safety and regional driver manager.

#### Radio Communications

The Company's radio equipment is to be used for work-related reasons only. Please be mindful that children riding our buses can hear your radio communications. For these reasons, your conversations should be professional and profanity is prohibited. Use of the Company signal codes adopted by your location is required.

Reading and Use of Personal Items While Driving\*
In order to give your full attention to operating the vehicle, reading or the use of personal items is not permitted when the vehicle is in motion.

All route sheets, log books, clip boards, and personal items must be placed in an area that does not obstruct the view of any windows or mirrors; prevents the use of vehicle controls (pedals), switches, door handles, or the steering wheel; and does not block the aisle or doorways. Additionally, it is not permitted to hold any of these items while driving. These items shall be secured in a manner that prevents distractions while driving (i.e., placed in door side pocket or console storage area). Items may not be stored on the vehicle's dashboard.

We understand that at times it may be necessary to view your route sheet, but it is critical that you do not read or hold your route sheet while the vehicle is in motion.

#### Refusal to Transport a Student\*

A driver may not refuse transportation to a student unless there is a clear and present danger to others (e.g., student carrying a weapon). Any refusal to transport must be reported to dispatch as soon as practical. Drivers are not authorized to put a student off a bus for disciplinary purposes. Any issues with student management should be reported to dispatch for assistance.

#### Route Changes\*

If you are unable to complete your route as written on your route sheet, you must notify dispatch for direction on changes to your route. If you would like to request a permanent change to the way your route is written, you must submit a written request to your supervisor for approval. Until you receive approval from your supervisor that your route has changed, you should continue completing your route as it is indicated on your route sheet.

#### Social Media and Networking\*

The intent of this Policy is to define rules for Company employees to follow when they engage in social media activities, including through any social networking websites such as LinkedIn, Pinterest, Instagram, Twitter or Facebook, text messaging, instant messaging and / or emailing as means of communication. For the purposes of this policy, "social media" activities shall include all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Company, as well as any other form of electronic communication.

#### Know and Follow the Rules

Carefully read this Policy, as well as the Anti-Harassment / Non-Discrimination Policy, Confidential and Private Information Policy, Customer Contact Policy, and the Conflict of Interest, Other Employment and Business Ethics Policy contained in this Handbook, and ensure that your social media activities are consistent with these Policies.

#### Do Not Interact with Students via Social Media

Given various student privacy considerations and related laws and regulations, employees must not "friend" or otherwise interact with students via social media. In addition, employees must not request personal contact information, including email addresses, social media accounts-related information, and phone numbers, of any students. In the event a student initiates contact with an employee via social media, the "connect" / "friend" request or communication must be declined. In declining such a request or communication, it is acceptable to let the student know that Company policy prohibits employees from communicating with students via social media. Employees must not disclose any identifying information (including the taking or posting of pictures) of, and should refrain from discussing, students in their social media activities.

#### Refrain from Using Social Media While at Work

Refrain from using social media while on work time or on equipment provided by the Company. Do not use Company email addresses to register on social networks, blogs or other online tools utilized for personal use.

#### Be Respectful, Honest and Accurate

Always be fair and courteous to fellow employees, customers, suppliers and people who work on behalf of the Company. Employees must not use Social Media to harass, bully, threaten or discriminate against colleagues, customers or anyone else. Make sure you are honest and accurate when engaged in social media activities. Avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage co-workers, customers, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law.

#### Protect the Company's Confidential Information and Trade Secrets

Maintain the confidentiality of the Company's trade secrets and confidential information. Trade secrets may include information regarding the development of our systems, processes, and other knowhow. The privacy of students, customers, and suppliers must not be compromised in social media activities. The same rules that apply to the protection of the Company's confidential information and trade secrets also apply to confidential information our employees come in contact with regarding students and the confidential and trade secrets entrusted to the Company regarding customers and suppliers. Such information must not be discussed or cited in employees' social media activities, without management's prior approval.

#### Avoid Posting on Behalf of the Company

In connection with any social media conduct, employees must not represent themselves as speaking on behalf of the Company. If an employee identifies him or herself as an employee of the Company in any social media post, he or she must be clear that he or she is representing personal views and is not speaking on behalf of the Company.

This Policy Is Not Intended to Interfere with Employee Rights Nothing in this Policy is intended to interfere with employee rights under any applicable federal or state laws, including protected concerted activities under the National Labor Relations Act such as employee communications about wages, hours and terms and conditions of employment. Additional information about protected concerted activities may be found at http://www.nlrb.gov/concerted-activity.

To the extent anything in this Policy conflicts with any law, the terms of that law will control.

### Consequences for Violating this Social Media and Networking Policy

Violations of this Policy may result in disciplinary action, up to and including termination. Any questions regarding this Policy should be directed to your Area Human Resources Manager.

#### Loading and Unloading Passengers\*

When loading and unloading passengers (typically at a school, but also field trips, etc.), the driver should remain on the bus unless a passenger requires assistance.

#### Unauthorized Use of Company Vehicle

Company-owned or operated vehicles may not be used for any reason beyond the scope of regularly scheduled duties or as assigned by your supervisor. Unauthorized use of a Company vehicle is strictly prohibited.

### **NOTES**

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# <u>Acknowledgement of Receipt</u> – Employee Copy

I hereby acknowledge that I have been given a copy of the DURHAM SCHOOL SERVICES Employee's Handbook and I understand it is my responsibility to familiarize myself with its contents. I understand that this handbook supersedes any and all previous policies, handbooks, and oral or implied promises or representations regarding my employment or the terms thereof and that the policies contained in this handbook are not intended to create any contractual rights or obligations.

Absent an agreement stating otherwise,

- I confirm by my signature that I understand that nothing contained in the handbook can be construed as a guarantee of employment or continued employment and that my employment is at will and can be terminated with or without cause or advance notice at the option of either the company or myself.
- ☐ I understand that the company may demote or discipline me or alter the terms of my employment at any time in its discretion, with or without cause or advance notice.

I understand that other provisions in the handbook are subject to change at any time and that I can determine the current policies by checking with my immediate supervisor.

DATE	SIGNATURE OF EMPLOYEE
	EMPLOYEE NAME (PLEASE PRINT)

#### **EMPLOYEE COPY**

Complete both copies. The "Employee Copy" remains in your handbook. Submit the "Personnel File" copy to your supervisor for placement in your personnel file.

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#### Acknowledgement of Receipt – Personnel File Copy

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27.1.2	
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