



# EMPLOYMENT SOLUTIONS

THE SOLUTION TO YOUR EMPLOYMENT NEEDS



# EMPLOYEE HANDBOOK

## **WELCOME!**

Welcome to Employment Solutions! Employment Solutions is a staffing agency that provides a service to both individuals looking to work and companies looking for people to work for them. We have many companies who come to us looking for qualified workers for full-time, part-time, and temporary positions. Therefore, whether you are a high school or college student or graduate, one of the millions of people who have been laid off in recent years, someone looking for a way to add to your income, or an individual who desires to further your career, we would like to help.

This employee handbook will cover many of the policies and procedures that an employee will need to know while working for Employment Solutions. It is very important that you carefully review every section of this handbook. This will contribute to your success as well as your safety while on the job. This Employee Handbook has been prepared to outline, in a general way, our personnel policies for all of our employees, regardless of the client to whom they are assigned to work. The primary purposes of this handbook are:

1. To provide employees with information concerning their rights and responsibilities
2. To establish guidelines/procedures and ensure fairness and consistency for day-to-day administration of personnel matters

The policies and procedures in this manual are not intended to be contractual commitments by Employment Solutions and employees shall not construe them as such. Employment Solutions reserves the right to revoke, change, or supplement guidelines at any time without notice. No policy is intended as a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied by statements in this book.

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# EMPLOYMENT SOLUTIONS EMPLOYEE POLICIES

## EQUAL OPPORTUNITY

Employment Solutions is an equal opportunity employer. We will extend opportunity to all individuals without regard for race, religion, color, sex, national origin, age, disability, or any other basis protected by law. We are committed to the principles of fair employment and the elimination of all discriminatory practices. We encourage all employees to take advantage of the opportunities for full time placements as they may occur.

### Right to be Free of Gender Inequity or Bias in Pay, Compensation, Benefits or Other Terms and Conditions of Employment

*New Jersey and federal laws prohibit employers from discriminating against an individual with respect to his/her pay, compensation, benefits, or terms, conditions or privileges of employment because of the individual's sex.*

#### FEDERAL LAW

Title VII of the Civil Rights Act of 1964 prohibits employment discrimination based on, among other things, an individual's sex. Title VII claims must be filed with the United States Equal Employment Opportunity Commission (EEOC) before they can be brought in court. Remedies under Title VII may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

The Equal Pay Act of 1963 (EPA) prohibits discrimination in compensation based on sex. EPA claims can be filed either with the EEOC or directly with the court. Remedies under the EPA may include the amount of the salary or wages due from the employer, plus an additional equal amount as liquidated damages.

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

There are strict time limits for filing charges of employment discrimination. For further information, contact the EEOC at 800-669-4000 or at [www.eeoc.gov](http://www.eeoc.gov).

#### NEW JERSEY LAW

The New Jersey Law Against Discrimination (LAD) prohibits employment discrimination based on, among other things, an individual's sex. LAD claims can be filed with the New Jersey Division on Civil Rights (NJDCR) or directly in court. Remedies under the LAD may include an order restraining unlawful discrimination, back pay, and compensatory and punitive damages.

Another State law, N.J.S.A. 34:11-56.1 et seq., prohibits discrimination in the rate or method of payment of wages to an employee because of his or her sex. Claims under this wage discrimination law may be filed with the New Jersey Department of Labor and Workforce Development (NJDLWD) or directly in court. Remedies under this law may include the full amount of the salary or wages owed, plus an additional equal amount as liquidated damages.

Please be mindful that under the State wage discrimination law a differential in pay between employees based on a reasonable factor or factors other than sex shall not constitute discrimination.

There are strict time limits for filing charges of employment discrimination. For more information regarding LAD claims, contact the NJDCR at 609-292-4605 or at [www.njcivilrights.gov](http://www.njcivilrights.gov). For information concerning N.J.S.A. 34:11-56.1 et seq., contact the Division of Wage and Hour Compliance within the NJDLWD at 609-292-2305 or at <http://lwd.state.nj.us>.

***This notice must be conspicuously displayed.***



## **AT WILL EMPLOYMENT CLAUSE**

Your employment with Employment Solutions is at will.

### **GENERAL POLICIES**

Employees of Employment Solutions are responsible to notify a representative of any changes in name, home address, telephone numbers, marital status, number of dependents, or any other pertinent information in writing immediately. This responsibility continues after your employment with Employment Solutions has ended. We will contact you, by phone or in writing, with future job opportunities as well as W-2 tax information.

Employment Solutions is the employer of record; therefore, you must adhere to all policies given to you in either writing or verbally by Employment Solutions. When you are hired for a position with a client of Employment Solutions, you are also expected to adhere to all of their policies either written or verbally communicated to you by that client. Any issues that arise while you are on an assignment should be reported to Employment Solutions, not the client to whom you are assigned.

You will be under the direct supervision of the client for whom you are assigned to work. If your assignment is ended by the client for any reason, you must contact one of the recruiters at Employment Solutions immediately. Employment Solutions will let you know if you have been terminated, laid off, or if you are being sent to a new assignment. If you are told by a client that they no longer need you and you do not contact Employment Solutions it will be considered that you have Voluntarily Quit your employment with Employment Solutions. A client of Employment Solutions has the ability to end your assignment but does not have the ability to terminate your employment with Employment Solutions.

# WHISTLEBLOWER PROTECTION

Employment Solutions will not take any retaliatory action against an employee who refuses to conduct or reports an activity that the employee considers to be illegal, dishonest, unethical, unsafe, or otherwise improper. Retaliatory actions include, but are not limited to, termination, demotion, compensation decreases, intimidation, and poor work assignments. Reports of such activities should be made in writing to the Payroll Department.

*Certain state or local laws may require modification of this Whistleblower Protection Policy. Please refer to the Compliance with State and Local Law Policy.*

## Conscientious Employee Protection Act "Whistleblower Act"



### Employer retaliatory action; protected employee actions; employee responsibilities

1. New Jersey law prohibits an employer from taking any retaliatory action against an employee because the employee does any of the following:
  - a. Discloses, or threatens to disclose, to a supervisor or to a public body an activity, policy or practice of the employer or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care;
  - b. Provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into any violation of law, or a rule or regulation issued under the law by the employer or another employer, with whom there is a business relationship, or, in the case of an employee who is a licensed or certified health care professional, provides information to, or testifies before, any public body conducting an investigation, hearing or inquiry into quality of patient care; or
  - c. Provides information involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
  - d. Provides information regarding any perceived criminal or fraudulent activity, policy or practice of deception or misrepresentation which the employee reasonably believes may defraud any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity.
  - e. Objects to, or refuses to participate in, any activity, policy or practice which the employee reasonably believes:
    - (1) is in violation of a law, or a rule or regulation issued under the law or, if the employee is a licensed or certified health care professional, constitutes improper quality of patient care;
    - (2) is fraudulent or criminal; or
    - (3) is incompatible with a clear mandate of public policy concerning the public health, safety or welfare or protection of the environment. N.J.S.A. 34:19-3.
2. The protection against retaliation, when a disclosure is made to a public body, does not apply unless the employee has brought the activity, policy or practice to the attention of a supervisor of the employee by written notice and given the employer a reasonable opportunity to correct the activity, policy or practice. However, disclosure is not required where the employee reasonably believes that the activity, policy or practice is known to one or more supervisors of the employer or where the employee fears physical harm as a result of the disclosure, provided that the situation is emergency in nature.

### CONTACT INFORMATION

Your employer has designated the following contact person to receive written notifications, pursuant to paragraph 2 above (N.J.S.A. 34:19-4):

Name: Payroll Department

Address: 111 North Main Street  
Elmira, NY 14901

Telephone Number: 607-732-7354

### This notice must be conspicuously displayed.

Once each year, employers with 10 or more employees must distribute notice of this law to their employees. If you need this document in a language other than English or Spanish, please call 609-292-7832.

## PRIVACY

Employment Solutions is committed to the proper handling of the Personal Information collected or processed in connection with your employment relationship with us. This policy describes categories of Personal Information we collect and the purposes for which we process that information. Personal Information is defined as categories of information that identifies, relates to, describes or is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly to a particular individual or household.

	<b>Categories of Personal Information Collected</b>
Category A.	Identifiers, such as name, contact information, online identifiers and Social Security numbers and other government-issued ID numbers
Category B.	Personal information, as defined in the California consumer records law, such as name, contact information, insurance policy number, education, employment, employment history financial information, medical information and health information
Category C.	Characteristics of protected classifications under California or federal law, such as sex, age, race, religion, national origin, disability, medical conditions and information, citizenship, immigration status and marital status
Category D.	Commercial information, such as transaction information, purchase history and financial details
Category E.	Biometric information, such as facial recognition and fingerprints
Category F.	Internet or network activity information, such as browsing history and interactions with our website, applications or systems
Category G.	Geolocation data, such as device location
Category H.	Audio, electronic, visual, and similar information, such as images and audio, video or call recordings created in connection with our business activities;
Category I.	Professional or employment-related information, such as work history and prior employer, human resources data and data necessary for benefits and related administrative services
Category J.	Education information subject to the federal Family Educational Rights and Privacy Act, such as student records



Category K.	Inferences drawn from any of the Personal Information listed above to create a profile or summary above, for example, an individual's preferences, abilities, aptitudes and characteristics
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Personal Information is collected for the following purposes:

- To comply with state and federal law and regulations;
- To process payroll;
- To track time and attendance;
- To manage workers' compensation claims;
- To administer and maintain benefits, including group health insurance;
- To administer and maintain retirement service;
- To manage employee performance of their job duties, including promotions, discipline, and/or termination;
- To conduct workplace investigations;
- To evaluate job applicants and candidates for employment;
- To obtain and verify background checks;
- To grant and monitor employees' access to secure company facilities;
- To implement, monitor, and manage electronic security measures on devices that are used to access networks and systems (e.g., incident management);
- To engage in corporate transactions requiring review of employee records, such as for evaluating potential mergers and acquisitions of the Company;
- To maintain commercial insurance policies and coverages, including for workers' compensation and other liability insurance;
- To anonymize and/or aggregate data to perform workforce analytics, data analytics, and benchmarking;
- To perform call monitoring and surveillance (e.g., CCTV); and
- To provide, validate, or communicate services offered by Employment Solutions directly to individuals.

If you have any questions about the collection and processing of your Personal Information or about the security of your Personal Information, please contact Human Resources.

## **ATTENDANCE**

As a valued employee, it is expected that you will arrive to work on time, work the hours assigned, and complete the assignment. If you are unable to work for any reason, you must call Employment Solutions and the company to whom you are assigned in order to report your absence at least 24 hours in advance. If you are calling outside of normal business hours, or if you get our answering system, you must leave a message with your name, the name of the company to whom you are assigned, your supervisor's name, and the time you are expected to be at work. If you have an emergency and cannot provide 24-hour notice, you must provide documentation before you will be allowed to return to work.

All unapproved absences, excessive absences, \* and/or tardiness will result in disciplinary action, up to, and including, termination. Furthermore, any incidence of not calling our office or showing up for a scheduled assignment will be considered that you have voluntarily quit your employment with Employment Solutions.

\*Excessive absences are considered to be three unapproved absences in a 90-day period. Working a partial shift is considered the equivalent of one absence.

## **SCHEDULE**

Employment Solutions reserves the right to change your work schedule or assignment at any time. If it is deemed by Employment Solutions that your shifts, or hours, need to be changed to meet the needs of Employment Solutions or any of its clients then you will be notified of the change. You will be expected to adhere to the new shift or hours that are provided to you by Employment Solutions. Changes may be done either in person, per phone conversation, a letter sent to your address of record, or via the e-mail address that you have provided. No such change will ever come from a third party.

Furthermore, if you work for Employment Solutions and do not have a set schedule or the schedule changes from week to week, it is your responsibility to contact Employment Solutions every Friday to receive your schedule for the following week. If you do not call Employment Solutions each Friday to receive your schedule for the following week then that will be considered voluntarily quitting your employment with Employment Solutions.

## **REPORTING TIME WORKED**

It is your responsibility to sign in and out for the hours you work. If you do not sign in and out properly this may result in your paycheck being incorrect or not being processed for that week. Time cards must be fully completed and signed by you and your supervisor prior to submission and must be received by the payroll department no later than 10:00 AM E.S.T. on Tuesdays\*. If you miss this deadline, you may not receive a paycheck that week. If this happens, you will be paid for those hours the week following your time card submittal. Paychecks will be distributed on Fridays in our office during normal office hours. In the event that you have not picked up your paycheck by the end of our office's business day, it will be mailed to the address that we have on file.

Any falsification of time sheets will lead to immediate termination and, if applicable, prosecution to the full extent of the law.

\*This deadline is subject to change. A common reason for a change in the deadline is when a holiday shortens the workweek.

## **REPORTING FOR NEW ASSIGNMENT**

At the completion of each work assignment, you are to report in person to Employment Solutions for a new assignment. If you fail to report in person, you may not be able to collect unemployment for the time you worked for Employment Solutions.

## **JOB PERFORMANCE**

As an employee of Employment Solutions, you are representing this company while working for our client. You are under the direct supervision of the client and must follow instructions given to you, to the best of your ability. Insubordination, including refusal to follow legitimate work orders and instructions, will result in disciplinary action, up to and including termination. Cell phones are not allowed in the work area and are not to be used unless you are on lunch or during your break. While on assignment, you must conduct yourself in a professional manner as your work attitude, performance, attendance, and appearance are integral to the evaluation of yourself and the services provided to our clients.

## **WORKPLACE VIOLENCE**

Employment Solutions is committed to maintaining a safe environment for all staff and customers and will not tolerate any form of workplace violence committed by or against its employees. Any observed or reported form of workplace violence will be taken seriously and thoroughly investigated. Any confirmed offenders will be dealt with through the current Company disciplinary process, and local law enforcement procedures, as appropriate.

Workplace violence includes, but is not limited to, the following: harassment; stalking; physical violence; the use of weapons of any kind; the direct or implied threat of physical violence toward any member of the staff or customers of Employment Solutions.

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited by this policy:

- Causing physical injury to another person;
- Making threatening remarks;
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Intentionally damaging employer property or property of another employee;
- Committing acts motivated by, or related to sexual harassment or domestic violence;
- Raising your voice, making hand gestures, and/or swearing at another person that creates a hostile environment.

Any potentially dangerous situation must be reported immediately to a supervisor/manager or any staff member. Reports or incidents warranting confidentiality will be handled appropriately and confidentiality will be maintained to the extent possible.

## **COMPLIANCE WITH STATE AND LOCAL LAW**

Employment Solutions is a multi-state employer, and as such we may be required to follow specific state and local laws in certain locations, which differ from the Company policies and procedures set forth in this Handbook. Whenever mandated, Employment Solutions will follow specific state or local laws.

## **DRESS CODE**

Employees are required to dress neatly and appropriately for each assignment. Steel-toed work boots are required for all industrial sites. Examples of unacceptable dress for all assignments include but are not limited to graphic clothing containing provocative images of sexually inappropriate material, paraphernalia promoting alcohol or illegal substances, or inappropriate language or gestures. Other clothing requirements of the client to whom you are assigned must be followed.

## **MODIFIED DUTY PROGRAM**

If you are taken out of work or given work restrictions by a doctor, it is your responsibility to provide a written note from that doctor with specific instructions. Every attempt will be made by Employment Solutions to accommodate an employee's restrictions, within reason. You must return to work upon being released by a doctor if we are able to accommodate your restrictions. Failure to accept a modified duty position that accommodates your restrictions will be considered that you are voluntarily quitting your employment.

If a doctor takes you out of work for an unspecified period of time, it is your responsibility to make sure that Employment Solutions receives updated doctor's notes every two weeks. It is also your responsibility to personally contact Employment Solutions to let us know of your progress every two weeks.

## **SAFETY RULES**

As an employee of Employment Solutions, you are expected to observe all posted safety rules, adhere to all safety instructions provided by your supervisor, and use safety equipment when required. It is your responsibility to learn the location of all safety and emergency equipment. As our employee, you must comply with the safety rules of the client and site where you are assigned to work. You must report unsafe equipment or working conditions **immediately** to your supervisor as well as to Employment Solutions. Any ongoing or deliberate safety violation by an employee will result in disciplinary action up to and including termination.

## ON THE JOB ACCIDENT

If you are injured on a job assignment, it is your duty to report it to your supervisor when the accident happened. If you leave work prior to reporting the accident, your assignment will be terminated. You must also report any on the job accident or injury to Employment Solutions within 24 hours of the incident.

## ADMINISTRATIVE FEES

Any employee that voluntarily quits or is terminated due to violation of company policy before they complete 520 working hours per assignment will be charged the following fees as deemed appropriate. **These fees will not pertain to an employee whose assignment is completed with good merit.**

1. For Drug or Alcohol testing, up to \$30.00 per test.
2. For Pre-Employment testing, and/or skill set testing, \$50.00
3. Back Ground Screening \$60.00 per search.
4. Administrative fees \$25.00

## FAILURE TO COMPLETE AN ASSIGNMENT

NO CALL/NO SHOW or leaving an assignment without giving proper notice is job abandonment. If this happens, any amount due to you may be computed at minimum wage as appropriate within state law.

## RECOVERY OF OVERPAYMENTS

Employment Solutions will comply with all State and Federal laws regarding recoveries of salary/wage overpayments made to its employees. Due to errors in processing an employee's time reporting, earnings, or leave time, an employee may be paid more than is owed to them. Overpayments, as a legal debt, must be promptly repaid to Employment Solutions regardless of the origin of the error and/or the dollar amount. Please contact the Payroll Department immediately at 607-732-7354 if you believe you have received an overpayment. In many cases, the Payroll Department will have you sign an "Overpayment Agreement" indicating the amount of the overpayment and giving your permission to deduct this amount from your subsequent paycheck(s). You may also repay the overpayment with a personal check made out to Employment Solutions.

## **DRUG AND ALCOHOL POLICY**

All employees must be willing to submit to random, post-accident, or reasonable suspicion drug and/or alcohol tests by our corporation or any of our clients that require it. Failure to pass this drug and/or alcohol test could result in disciplinary action, up to and including termination.

You will be billed for the costs for the drug/alcohol screen as referenced in the Administrative Fees, or in the event that your drug/alcohol screen tests positive.

### **OVERVIEW**

Federal Regulations issued revised drug testing and new alcohol regulations utilizing The Controlled Substance Act. These regulations significantly affect all our employees. In response, Employment Solutions drug testing program has been created and expanded to include on-site drug and alcohol testing.

Employment Solutions is committed to providing its employees with a safe workplace and an atmosphere which allows them to protect inventory and other assets placed in their care. The employees should not be subject to any safety threats from fellow employees. Safety is and always will be our number one priority. It is imperative that the Company policies support and reinforce this position.

The drug and alcohol program is intended to identify substance abuse within the employee population and to discourage future drug abuse and alcohol misuse. It is the intent of Employment Solutions to promote drug-free workplaces in order that the employer in this administration may maximize their levels of productivity, enhance the competitive positions in the marketplace, and reach their desired levels of success without experiencing the costs, delays, misappropriated funds, and tragedies associated with work related accidents resulting from substance abuse by employees. The procedures mandated by these programs will help improve employee safety, performance and morale, thereby preventing production losses.

## DRUG AND ALCOHOL POLICY

Employment Solutions will comply fully with all regulations on drug abuse and alcohol misuse. We will maintain programs that hold all covered employees accountable to clear personal and professional standards. Employment Solutions also reserves the right to modify its policy at any time without prior notice. In the event the Federal Regulations are amended, this policy and the applicable term(s), condition(s) and or requirement(s) of this policy shall be deemed to have been amended automatically at that time, without need for redrafting, in order to reflect and be consistent with the Federal Regulations. In such case, Employment Solutions reserves the right to apply the amended requirements immediately, and without giving prior notice to employees, unless such notice is required by Federal Regulations.

### POLICY SUMMARY

- Employees who violate the drug & alcohol policy are subject to disciplinary action, up to and including termination.
- Employees or applicants are subject to drug and alcohol testing.
- Employees who use, are in possession of, or are involved in the sale or purchase of any substances covered under the Federal Controlled Substances Act, while on company property, company business, engaged as employee of the company working under contract or operating company vehicles, including vehicles leased to the company are considered to be in violation of the drug and alcohol policy. (Including lunch and break times).
- Employee use of any prescribed or over-the-counter medication that is legally obtained but not used as prescribed is prohibited. Prohibited conduct also includes an employee's use of medications prescribed for individuals other than the employee.
- Employment Solutions is not required to provide rehabilitative services to any employee group. However, employees will be made aware of such services if and where available.
- Employment Solutions reserves the right to conduct unannounced searches for controlled substances or substances or alcohol anywhere on company property, or contracted job-site (including the employee's personal belongings) or in vehicles owned or leased and operated by or under contract to Employment Solutions.
- Employment Solutions drug & alcohol policy also applies to independent contractors, owner operators, contract personnel and temporary employees as required by business and paid for by the company.



- Employment Solutions will comply fully with terms of the Drug Free Workplace Act of 1988. This act requires employees convicted of any violation of criminal drug statutes that occur on company property (including vehicles), to notify their supervisors within five (5) days of that conviction.

## EMPLOYEES AFFECTED

All employees of Employment Solutions are expected, as a condition of employment, to comply with the provisions of this policy. An employee is anyone employed or contracted with the company who is covered by Worker's Compensation Insurance obtained by the company.

## CONTROLLED SUBSTANCES

At present, Employment Solutions drug testing procedures are primarily intended to test for the presence of marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP); in accordance with the Federal Controlled Substances Act. These substances are illegal for consumption or sale. This item also applies to over-the-counter, or prescription medications that are legally obtained but are not used as specifically prescribed. In addition, any over-the-counter, or prescribed medications that cause an individual to be impaired is considered a controlled substance.

## PROHIBITED CONDUCT

Employees covered by Employment Solutions drug & alcohol policy SHALL NOT:

- Refuse to take a required drug or alcohol test.
- Use a controlled substance without medical authorization.
- Use alcohol while operating any motor vehicle owned or leased to Employment Solutions or any client of Employment Solutions.
- Report for or remain on company time while having a breath alcohol concentration of 0.02 or greater.
- Perform company duties within EIGHT hours of using alcohol.
- Use alcohol while performing company duties.
- Use alcohol for EIGHT hours following an accident unless the employee has been given a Post-Accident test.

## TESTING

- Random urine testing will be used to detect the presence of illegal drugs. Employment Solutions will test all employees on a random basis, and all such tests will be unannounced.
  - Under the company computerized random selection process, every employee will have an equal chance of being selected each time the selection is conducted. Appropriate safeguards are also present to ensure that the identity of individual employees cannot be determined prior to the time of computerized selection.
- An employee who tests positive or refuses to submit to a test is deemed unqualified to return to work. In addition, any employee who refuses to submit to random test, who fails to report for the test as directed, or who tests positive, may be subject to disciplinary action, up to and including termination.
- Post offer testing will be used for final candidates in any position within Employment Solutions or for an employee who transfers from an out of regional area position prior to the individual assuming his or her new position. This test must be negative for the prospective employee to be considered for employment.
- Post-accident drug and alcohol tests will be administered following an accident that causes any employee to be injured requiring medical treatment or any accident that involves a company vehicle. This only applies to an accident in which employee drug use is likely to have contributed to the incident, and for which the drug test can accurately identify impairment caused by drug use.
- Return-to-Duty alcohol and/or drug tests will be administered following a violation of Employment Solutions Drug & Alcohol Policy and before an employee can return to duty performing company functions.
- Return-to-work alcohol and/or drug tests will be administered following any type of leave of (90) days or more including, but not limited to, leave for pregnancy, serving in the military, or workers' compensation.
- Reasonable suspicion drug and/or alcohol tests will be administered based on exhibited behavior, speech, appearance, and/or body odor as observed by a trained supervisor.
- An adulterated drug test, in any fashion, will be considered a refusal to test and the employee who performed the adulteration will be subject to immediate termination. Also, anyone involved in the falsification of identity or identification of an employee will result in the immediate termination of all employees involved in the falsification attempt.

## CONSEQUENCES

- Employees who violate or refuse to cooperate with the implementation of Employment Solutions' Drug & Alcohol Policy will be subject to disciplinary action, up to and including immediate termination.
- Employees who refuse to submit to alcohol and/or drug testing will be subject to disciplinary action, up to and including immediate termination.
- Employees who test positive for drug use and who are terminated from employment will not be eligible for re-employment.
- Where reasonable suspicion exists, personnel will be escorted from Employment Solutions' property or contracted job-site and denied further access to the property and equipment.
- In accordance with the Drug Free Workplace Act of 1988, disciplinary action will be taken against employees convicted of violations of criminal statutes that occur on company property. Employment Solutions will suspend any employee that violates this law, and will be terminated, within thirty (30) days of that notification.

## POLICY NOTICE

**Employees who are involved with either illegal drugs or unlawfully involved with controlled substances or alcohol on their own time will be subject to disciplinary action up to and including termination, if such involvement has an adverse effect upon or undermines the public confidence and trust in Employment Solutions.**

## CONFIDENTIALITY

All tests will be conducted in accordance with Federal Regulations that ensure reliability, accuracy, employee privacy, discretion, and confidentiality. Release of test results to anyone other than the employee, the MRO, and the employer is prohibited unless the employee signs a written release.

## GETTING HELP

### Symptoms and signs of an alcohol or drug problem

Some of the symptoms and signs of alcohol misuse are: the odor of alcohol, the slurring of speech, tremors, vomiting, disoriented behavior, staggering, leaning against walls or doorways, using the arms for balance, swaying while attempting to maintain balance. Some of the symptoms and signs of drug abuse are: constricted pupils, slurred speech, drowsiness, loss of appetite, watery eyes, chills and sweating, runny nose, excitement, depression, disoriented behavior, poor perception of time and distance, and the use of drug paraphernalia.

Abuse involving multiple substances will be especially dangerous because of the way different substances interact with each other and create unexpected effects. People who abuse more than one substance are at a more increased risk of becoming tolerant and dependent on other controlled substances.

### The effect of alcohol and drugs on work, health and personal life

The threats and hazards of alcohol misuse and drug abuse go far beyond the individual abuser. People who are impaired are endangering fellow workers, family members, fellow motorists, as well as themselves. Abusers of alcohol and drugs increase the costs associated with the loss of productivity, accidents, absenteeism, and theft and deterrence programs. Also, medical costs are higher and this increase is passed on to the employer in the form of higher health insurance rates, and then ultimately passed on to all workers!

Alcohol at any level can and will impair judgment and coordination required for performing district duties. High doses can cause respiratory failure and even death. If low doses are combined with other “depressant” drugs, this too can cause respiratory failure and death. (Alcohol is the most widely abused drug in the United States.)

# **Employee Health & Safety Handbook**

**Use this manual as a ready-reference. You must refer to it as your assignments and work duties change.**

**In cases of serious emergencies such as a danger to life or property, the rules of this manual may be temporarily changed to facilitate proper handling of the emergency. Additionally, policies may change in keeping with standard business practices or state or federal law changes. Such changes are the sole discretion of Employment Solutions and may occur with or without notice.**

## **HEALTH & SAFETY POLICY**

Employment Solutions is committed to the prevention of occupational illness and injury within the workplace. We will take an active role in the implementation of a Health and Safety Program that will maintain a safe and healthy work environment for our employees.

Supervisors and managers will take responsibility to ensure that all Employment Solutions policies and procedures are followed as they relate to employee health and safety.

All employees are also required to ensure that safe and healthy work conditions are maintained within their assigned areas.

All supervisors/managers are required to ensure their employees perform their work in a manner which is safe and healthy.

In fulfilling these commitments, Employment Solutions will comply with all relevant legislation and best practice requirements of which we are aware. We will make copies of these requirements available to employees for review upon request.

In addition, Employment Solutions senior management will provide the necessary resources to sustain a management system consisting of programs and practices for conducting operations in a healthy and safe manner. Further, we are committed to the goal of continual improvement in all health & safety matters.

Employees are responsible for performing their jobs safely, following legislated standards and in accordance with our health & safety programs, and to support these programs by reporting any unsafe acts and/or conditions.

### **Conducting business safely is an attainable goal.**

The key to success lies in the willingness of every individual to recognize his/her responsibility and actively support the prevention of accidents or occupational illness and/or injuries including those that may involve visitors, contractors and their employees.

We trust that you will join us in a personal commitment to the protection of health & safety as a way of life.

## **GOVERNMENT REGULATIONS**

Employment Solutions requires all employees to adhere with all regulations of the Occupational Safety and Health Act of 1970 and/or your state specific Occupational Safety and Health Regulations (OSHA). The OSH Act states, "Every employer will furnish each of their employees a place of employment free from recognized hazards" and "Each employee shall comply with occupational safety and health standards and all rules, regulations and orders issued pursuant to this act which are applicable to his/her own actions and conduct". Failure to do so may result in disciplinary action up to and including termination, and penalties to our company or our client.

## **TRAINING AND EDUCATION**

Employee health & safety training is an important element in achieving a safe and healthy workplace.

All Employment Solutions employees must be thoroughly trained in order to ensure they are competent workers that have the knowledge and skill base to work in a healthy and safe manner.

Occupational Health and Safety training programs will be recommended and/or developed by management in conjunction with the Joint Health and Safety Committee.

Training programs are required for all employees, including management, and will be provided as required by OSHA and other relevant legislation and/or best practices.

## GENERAL SAFETY RULES

Employment Solutions safety rules are the minimum standards for safe working conditions. Your client site supervisor will answer any specific safety questions you may have.

### Work Habits

1. It is mandatory that you know and follow all safety regulations pertaining to your assignment.
2. Before starting any task, make sure you know exactly what is to be done and how to do it safely.
3. Be sure you perform your tasks in a manner that protects you and others.
4. Let your supervisor know if you feel you do not have adequate safety protection/knowledge in any work activity.
5. Make sure all tools and equipment are in proper working order. Do not "fix" or repair anything yourself unless you are requested by your site supervisor, trained, and authorized to do so.
6. Report unsafe equipment to your supervisor immediately. Do not take chances!
7. Do not remove or bypass guards on machines or equipment.
8. Absolutely NO horseplay is ever permitted. Keep your mind on your work. Do not distract others or allow your attention to wander from the task at hand.
9. Make your Employment Solutions Representative aware of any safety problems you encounter while at the work site.

### Work Area

Work areas must be kept clean and orderly at all times. Keeping the jobsite clean is everyone's responsibility. Good housekeeping is fundamental to a safe workplace.

1. Materials, supplies and tools must be stored properly. This can eliminate them falling on someone or resulting in a tripping hazard.
2. All chemicals and solvents must be kept in safety containers with proper labels.
3. If there are unlabeled chemicals in your work area, do not assume that you know what they are. Address the matter with your supervisor and request a label.
4. Fluid on the floor should be removed as soon as possible, if this falls within your job description and if you know what the fluid is. Otherwise, ask someone to guard the hazard and notify your supervisor of the condition immediately.



## **Smoking**

Smoking is permitted in designated "Smoking Areas" at designated break times only. Smoking areas should be clearly marked throughout the work site. If they are not marked, ask your supervisor about their location. Smoking is prohibited in ALL other areas.

1. In "Smoking Areas", you must use the provided and approved ashtrays.
2. Smoking in unauthorized areas is a serious offense. Since careless smoking causes most fires, you must strictly adhere to the smoking regulations to protect the safety of yourself, others, and the company.

## **Substance Abuse (Drug-Free Workplace)**

Employment Solutions is committed at all levels to providing a safe work place for our employees. The use of alcohol and drugs on the job negatively affects the productivity, the safety, and the stability of the workplace. Employment Solutions will not tolerate any deviations from the corporate Drug and Alcohol Policy. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is our intent and obligation to provide a drug-free, healthful, safe, and secure work environment.

Employment Solutions prohibits on-the-job use of illegal drugs or alcohol, coming to work under the influence, and possessing or distributing drugs on company premises. Violations of this Policy will result in disciplinary action up to and including termination. Employees are encouraged to seek assistance from community resources on a voluntary basis for substance abuse related problems.

## **PERSONAL PROTECTIVE EQUIPMENT**

Some work assignments at Employment Solutions require employees to use various forms of Personal Protective Equipment (PPE) such as gloves, safety goggles or glasses, hard hats, ear plugs, steel toed boots, etc. Personal protective equipment will not prevent an accident from happening but it does provide a barrier to personal injury.

On some occasions, when personal protective equipment is required by the work assignment Employment Solutions or the client company may provide it to you. PPE or equipment issued from Employment Solutions or our client is considered to be on loan unless it is sold to you. All sales are final. When issued PPE or equipment on loan, you are responsible for it and you must return it, in good working condition, **BEFORE YOU ARE PAID**. The cost of PPE that is not returned or returned in poor condition will be garnished from your wages.

### **ALL PPE MUST BE WORN AND USED AS INSTRUCTED!**

If you feel you need safety equipment that is not provided, ask your supervisor or Employment Solutions Representative. We will be happy to discuss your concerns.

If issued PPE or equipment breaks, do not throw it away. You must turn it in to receive credit. Items not turned in will be charged to the employee.

## Respirators

Where respirators are needed, care should be taken in selection and personal fit. Your on-site supervisor will provide or specify the correct respirator for your use. If a respirator is required, you **MUST** use it correctly. In some cases this means you will be expected to remove facial hair before being assigned to the concerned work task.

Types of respirators that Employment Solutions field staff may be required to use are:

1. Air Purifying Respirators.
  - For some gases and vapors.
  - For dust (requires various types of filters).
  - A multipurpose use.
2. Self-contained Breathing Apparatus (SCBA)
3. Either pressure demand or continuous airflow types.
4. Supplied Air Masks or Hoods.

For your protection and to meet OSHA requirements, no employee may accept an assignment that requires respirator use until they have completed a pulmonary functions test. Further, the client is required to select a respirator that effectively protects you from the exposures in their environment. However, if you are wearing a respirator and can smell or taste a chemical, you must leave the exposure area **immediately** and advise your supervisor.

## Noise

Exposure to excessive noise can cause hearing loss. Advancements are being made in the reduction of noise but there are sometimes processes and machines where noise is above the safety standards. Employees working in these areas will be required to wear personal protective equipment when directed by their supervisor.

A good rule of thumb is: If you have to talk louder than normal to make yourself understood over the machinery noise, you probably need to wear hearing protection. If you would like hearing protection and the client does not provide it, please advise your Employment Solutions Representative.

## LIFTING, CARRYING, PUSHING AND PULLING

The first rule for any manual lifting assignment is: "Think before you lift"

1. Before you attempt to lift any object, plan and test the lift.
2. Check the object's weight. Squat down and try lifting just a corner.
3. If you do not feel comfortable about the lift, the object requires awkward handling or it is too heavy, DON'T LIFT IT!
4. Ask someone close to help you or request a hand truck or other mechanical lifting device.

Once you have decided that you can lift an object, you MUST follow some basic steps in making a proper lift:

1. First, position your feet: preferably one foot alongside of the object to be lifted and the other foot slightly behind the first and about shoulder width apart. This will provide the balance you need for a correct lift.
2. Tighten the muscles in your stomach by pulling your stomach in and straightening your back (spine).
3. Remember a straight back does not mean a vertical back. You can still keep your back straight even if required to lift at an angle.
4. Bend your hips and knees and draw the object close to your body. Bending your knees will aid in keeping your back straight and bending your hips will allow you to keep the load close to you.
5. Grasp the object by opposite corners and position your body so its weight is centered over your feet.
6. Start the lift by pushing against your heels, and then slowly straighten your legs. Remember to use smooth movements and avoid jerking.
7. Once the object has been lifted, keep the load close to your body and if required, turn your whole body as a unit, including your feet. *Don't Twist!*
8. If more than one person is required to lift an object, designate one person to act as the leader. Have that person direct the movements out loud so you can coordinate your movements. Lift at the same time. Use your legs to lift, not your back.

## **Carrying**

1. Keep your back as straight as possible.
2. Keep the object close to your body.
3. Move slowly, with small steps.
4. Move your feet to change direction. Do not twist!
5. Put your object down by bending your hips and knees, keeping your back straight and the load close to your body.
6. If more than one person carries an object, designate one person to act as the leader. Have that person direct the movements out loud so you can coordinate your movements. Keep the load level when carrying. Move smoothly together and unload at the same time.

## **Pushing**

1. Stand close to the object to be moved.
2. Crouch down with your feet shoulder width apart.
3. Bend your elbows and put your hands on the load at chest height.
4. Lean forward and if possible; put your chest and hands against the object.
5. Keep your back straight, crouch and push with your legs.
6. When possible, pushing is preferred over pulling.

## **Pulling**

1. Place your feet shoulder width apart with one foot behind the other. Stay close to the object to be pulled. Allow enough room between you and the object so that it will not hit your feet.
2. Grasp the object firmly, as close to its center of gravity as possible.
3. Crouch, leaning away from the object and counterbalance the weight of your body against the resistance of the load.
4. Pull by straightening your legs. Keep your back straight.
5. Step backward while continuing to crouch. Let your legs do all the work.

## MACHINERY

Do not operate any machinery without proper authorization, training, and instruction. It is you on-site supervisor's responsibility to make certain that each employee knows and understands the proper operation of the machine as well as any potential hazards involved. Never operate machinery without complete and clear instructions from your supervisor. If you have any questions or doubts whatsoever about the hazards or operation of any machine, DO NOT operate it until your supervisor has answered your questions.

Since machine-related accidents are often very serious, any written rules or supervisor's directions which are not explicitly followed, will result in strong disciplinary action and/or dismissal.

1. DO NOT operate machinery or equipment without proper instruction, authorization, and training.
2. Report all hazards or malfunctioning equipment to your supervisor.
3. Machines should not be oiled, cleaned, or adjusted while in operation.
4. Manufacturers place guards at hazardous points on machinery. They must be in place and operational when you are working with or around the machine.
5. Safety devices or guards must not be bypassed, blocked, tied down, or altered.
6. NEVER operate a machine that has guards that are altered, removed, or purposely bypassed.
7. Operating a machine with the guards by-passed may be grounds for disciplinary action up to and including termination.
8. Before turning on any machine make sure all points of contact with moving parts are properly protected.
9. Make sure everyone is clear of the machine before you start it.
10. Do not alter machines or machine safety guards. Tell your supervisor if you feel a guard needs to be changed.
11. If the guards on a machine are not working correctly, STOP immediately and inform your supervisor.
12. Never reach around or under a machine guard.
13. No machine should be left running unattended, unless it is specifically designed for that purpose.
14. Do not try to slow down or brake a moving part by hand or with a makeshift device. WAIT FOR THE MACHINE TO STOP!
15. Before clearing a jam or repositioning stock, be sure to turn the machine off and wait for it to FULLY stop moving. If there is any

risk that someone else may reactivate the machine while you are clearing the jam, a lock out must be used.

16. Adjusting tools or keys should not be left in places where they can fall, slide or be thrown into the machine while it is operating.
17. Do NOT wear jewelry, gloves, neckties, unbuttoned long sleeves or loose clothing around machines. Long hair should be tied back.
18. Machines should always be clean and free of rags, tools or other devices.
19. The floor around the machine must be clean and dry to avoid electrical shock, slipping or falling.
20. Use the proper brush, hook or tool to remove residue such as chips, shavings or paper.

## **HAND TOOLS**

1. Inspect all hand and power tools before use daily. Be sure that tools are in proper working condition, and that all safety guards are present. Additionally, a thorough inspection must be made of the electrical cord and its components.
2. Do not use any tool without proper training, instruction, and authorization.
3. All metal parts, which do not carry electrical currents (handles, housing, etc.), must be grounded when connected to a power source. If the plug does not contain three (3) prongs, check the item's label to make sure that it reads, "Double Insulated".
4. Do not use extension cords, except on a temporary basis. If you must use an extension cord, only use industrial extension cords. NEVER use cords that have breaks or patches.
5. All tools must be used in accordance with manufacturer's instructions and within their capacity.
6. All tools, regardless of ownership, must meet safety standards and be in good condition.
7. Keep tools in good condition. Use, maintain, and store power tools according to the manufacturer's instructions.
8. Inspection of tools may be made at any time by Employment Solutions or client management. Supervisors are authorized to ban the use of unsafe tools, regardless of ownership.
9. Faulty tools must be tagged as unsafe and immediately removed from the work area.
10. Use the proper tool for the job. Do not substitute, alter, or use makeshift tools.
11. Never leave power tools running while unattended.



## LADDERS

Employment Solutions employees are not allowed on scaffolds or ladders more than 10 feet above ground level and are never allowed on a roof of any kind. If you were not specifically advised that your assignment would require you to work on ladders or scaffolding, please call your Employment Solutions Representative immediately.

1. To correctly position a straight ladder, place the feet parallel to the wall at a distance that is equal to one-fourth the ladder length.
2. When in use, ladders must be firmly placed, held, tied or otherwise secured to prevent slipping or falling.
3. Metal or fiberglass ladders must have rubber, nonskid base plates.
4. Portable metal ladders should never be used near energized electrical circuits where they might be in danger of contact with the circuit.
5. Ladders must not be placed in front of doors that open toward the ladder unless the door is held open, locked or guarded.
6. Stepladders should NEVER be used as straight ladders. When using a stepladder longer than 10 feet, another person must hold the ladder to stabilize it.
7. Don't ascend or descend ladders while carrying equipment or materials in your hands. Have both hands free.
8. Standing on the top or second to top step of the ladder is extremely dangerous and must be avoided.
9. Ladders must be inspected regularly and frequently. All defective ladders must be removed from service immediately.
10. Do not use chairs, boxes, etc. as ladders.
11. Only one employee is to use a ladder at a time.
12. Never place a ladder against a window or other weak support point
13. If your assignment requires a great deal of ladder use, boots with heels and non-skid soles are recommended.
14. Ladders are required to have a weight rating. Check the rating before using to be sure you are not too heavy for the rating of the ladder you intend to use.

## **AUTOMATED MATERIAL HANDLING**

### **Forklifts, Pallet Jacks, Motorized Selectors (collectively Powered Industrial Trucks)**

Employment Solutions field staff employees are reminded that in order to comply with OSHA regulations, only trained and certified employees are allowed to operate forklifts, pallet jacks or motorized selectors. (For the purposed of this section these will all be referred to as forklifts.) If you have not been trained and authorized, you CANNOT operate this type of equipment.

1. All traffic regulations established within the work site MUST be followed. A safe driving speed is determined by the driving surface, load stability, and facility rules and regulations.
2. Drivers are to slow down and sound horns at aisle intersections, blind spots, or other dangerous locations.
3. No one is permitted to ride on any portion of a forklift unless they are in a provided seat or lift basket manufactured specifically to elevate workers.
4. Operators of pallet jacks and selectors must stand within the drivers operating area. Arms and legs must remain inside the protected operator's area.
5. No one is allowed to stand on or pass under the elevated portion of a forklift whether loaded or empty.
6. Forklifts are to be inspected at the beginning of each shift or when you first start them.
7. Fueling is allowed only when the engine is shut off.
8. Report any problems concerning the forklift to your supervisor. Follow your supervisor's instructions concerning problem resolution.
9. Only trained and authorized employees may perform maintenance on a forklift. To perform this function, it must be part of the assignment as explained by your Employment Solutions Representative.
10. Operators moving a load must travel with the forks about 6 inches off the ground or as close to the ground as possible without dragging your forks or jarring your load.
11. If the object to be moved obstructs the operator's vision at this height, the operator should move the load in reverse. However, he/she should turn as far in the seat as is possible to face the direction of travel.

12. No employee shall elevate another person in any container or platform other than one designated for human occupancy and elevation.
13. If you leave your forklift unattended, be sure to put the transmission in neutral, set the parking brake, remove the key, and set the forks in the lowest and foremost position.
14. A load that exceeds your rated capacity for maximum weight or center of gravity should not be attempted.
15. Never turn on an incline.

## **MATERIAL HANDLING - HAND TRUCKS**

1. When stacking a load, place heavy objects on the bottom of the load.
2. Position load toward the front handle of a horizontal hand truck.
3. Do not stack a load above eye level.
4. Secure bulky, awkward, or delicate objects to the truck.
5. To control the load,
  - Get a firm grip.
  - Keep your back straight and knees bent.
  - Lean in the direction you are traveling.
  - Walk, do not run.

# WELDING, CUTTING, AND ALLIED PROCESSES

## Safe Work Practices

1. Wear proper Personal Protective Equipment (PPE) for the job.
  - Types of PPE Include:
    - i. Protective clothing - wear clothes made of a very high percent of natural fibers. 100% cotton or leather - where appropriate, is usually best. Applying heavy starch is also a recognized method of retarding flammability. (NEVER wear synthetics such as polyester or nylon)
    - ii. Eye, face, and head protection
    - iii. Hearing protection
    - iv. Respiratory protection
2. Inspect equipment for leaks, damage, faulty valves or regulator problems before beginning work.
3. NEVER disable breakers, fuses, guards, or automatic shutoffs.
4. Keep people away from your flash, sparks, and heat.
5. Keep welding equipment, cables, and hoses away from passageways, ladders, and stairways.
6. Pick up tools and waste as you go.
7. NEVER work in tanks, boilers, or other confined spaces.
8. Use required fall protection when working above ground and secure equipment so it won't fall.
9. If a ground is provided you MUST use it. Failure to do so is very dangerous and grounds for immediate termination.
10. Familiarize yourself with the location of fire extinguishers and blankets.
11. Use flash shields when working in a heavily populated area.
12. If you are working on an elevated surface you must guard from generating slag or sparks that can fall on people or product below. Ask your supervisor for a protective "ground" covering. NEVER use cardboard or flammable materials for this purpose.

## Hot Work

Hot work is any activity that creates heat, flames, sparks, or smoke, such as gas or arc welding, cutting, grinding, brazing, or riveting. Only trained and authorized field staff may perform hot work operations. OSHA requires authorization by the client supervisor and in some cases a written permit before hot work operations begin. The permit will outline job specific hazards, safety precautions, and PPE needed for the job. If you have any questions concerning job procedures, ask your client supervisor before beginning.

## **COMPRESSED GAS CYLINDERS**

1. Use extreme care when handling compressed gas cylinders. DO NOT drop, jar, or expose them to extreme temperature.
2. Except when in use, the valve cap or valve protection device must ALWAYS be in place.
3. Always store compressed gas cylinders (whether full or empty) in an upright position. Chain or otherwise secure them so they cannot be upset or fall.
4. Never store cylinders near any source of heat, flame, or sparks.
5. Never handle any cylinder whose contents are not clearly marked.
6. Never use damaged cylinders.
7. Never roll or drag cylinders.
8. Never connect/disconnect cylinders unless you have been authorized, properly trained, and have the appropriate personal protective equipment.
9. Unless your Employment Solutions Representative expressly advised you that you would be filling compressed natural gas tanks, you are not to perform this task during your assignment.
10. Field staff are required to be trained and authorized to fill or refill compressed gas cylinders or tanks.
11. NEVER fix, repair or perform any maintenance on a compressed gas cylinder or tank.

## ELECTRICAL SAFETY

Only AUTHORIZED personnel are EVER permitted to do any electrical repair, adjustment and testing, or service work. Government codes regulate these requirements and impose strict guidelines to follow in the area of electrical safety. Additionally, many states require special licensing for electricians and journeymen. Inform your Employment Solutions Representative of all current state and local electrical certifications and licenses.

Lockout/Tagout (LOTO) is the process of blocking the flow of energy to equipment during maintenance and repair. Once the power is off a lock and tag are placed on the power source to prevent it from being turned on, while work is being performed.

Any Employment Solutions employee requested to perform repair or maintenance on equipment or tools at a job site must first receive training and a lock from the client, as well as authorization from your designated Employment Solutions Representative.

### Electrical Lockout Policy

OSHA has established minimum standards that apply toward the protection of all employees at a facility where the Lockout/Tagout procedure is in use.

When a Lockout procedure is in action, there are three identifiable groups:

1. **Authorized:** If you are involved in any way in the Lockout procedure, you MUST get training from your on-site supervisor. Each Lockout will have its own hazards based on the energy source that is being brought to Zero Energy State. You also MUST have your own lock anytime you have any risk from re-energizing.
2. **Affected:** These employees are not involved in the lockout but are somehow affected. Examples of Affected are line stoppage and altered travel routes. Each Affected person must be notified of the onset and conclusion of a lockout. The conclusion notification must take place prior to energizing.
3. **Others:** These people who have no effect from, and often no knowledge of, the lockout procedure currently operating.

It is important for your safety and the safety of those around you that you know these groups and your position/responsibility when involved in a LOTO procedure. It is your responsibility to request specific training and instruction from your on-site supervisor EACH time you fall within the Authorized or Affected category.

### Lockout Procedures

1. Prior to the procedure, alert all employees in the area that equipment will be turned off and locked out.

2. The equipment is turned off and disconnected from all energy sources.
3. A lock and tag are placed on the energy source and power control.
4. The equipment is tested to verify that all energy sources have been turned off.
5. After the work is done and all workers are out of danger the lock and tag can be removed.

This policy covers Employment Solutions and our employees; however, our clients may have variations of this policy. Check with your on-site supervisor to learn and understand their policy. IT MUST BE FOLLOWED!

Reading and understanding this policy is critical. However, it is not a substitute for training required to obtain authorization to perform a lockout or tagout procedure.

Performing a lockout without prior training and authorization or failing to perform a lockout as required may be grounds for disciplinary action up to and including termination as these omissions may cause conditions that are immediately dangerous.

### **Operation of Electrical Equipment**

1. Make sure that all electrical tools/equipment are in safe operating condition before using them. If you are not sure or if you have questions concerning the equipment, ask your on-site supervisor BEFORE using it. Look for:
  - Cords free from cuts or scrapes that expose wires.
  - Examine the plug to make sure all three (3) prongs are present and not loose. If the plug has only two (2) prongs, check the tool/device label for the statement "DOUBLE INSULATED". If the equipment is not marked "DOUBLE INSULATED" and does not have three prongs, do not connect it to an electrical supply.
  - Check for loose parts, switches, nuts, bolts, etc. Report any problems to your on-site supervisor.
  - Check the receptacle before plugging in an electrical cord for burn marks, cracks, broken faceplate, or foreign objects.
2. Test the equipment before using it to insure it is operating correctly. If not, unplug and report the defect to your on-site supervisor.
3. Never unplug a tool/device by pulling on the cord. Grasp the plug and pull it from the receptacle.
4. If you have any questions about how to use a specific tool/device, ask your on-site supervisor for instructions prior to beginning use.



# FIRE PROTECTION

## Fire Classifications

Become familiar with the 4 classes of fire. Every fire extinguisher is marked for the fire it is designed to fight. You must use the right kind of extinguisher for the type of fire.

What is a **Class A** fire?

- A fire involving ordinary combustibles such as wood, cloth, paper, rubber, and some plastics.

What is a **Class B** fire?

- A fire involving ordinary flammable or combustible liquids, flammable gases, greases, and similar materials such as gasoline, oil, paint, and natural and propane gases.

What is a **Class C** fire?

- A fire of this nature is usually a Class A or B fire, but also involves energized electrical equipment. Wiring and electrical appliances are in this class.

What is a **Class D** fire?

- A fire involving certain combustible metals such as magnesium, sodium, potassium, etc.

The thought of using a fire extinguisher seems easy and logical in an emergency. However, there is a required technique for proper use of an extinguisher. As such you **MAY NOT USE A FIRE EXTINGUISHER IF YOU HAVE NOT HAD FIRE EXTINGUISHER TRAINING**. Only trained and authorized employees may use fire extinguishers. Employees must inform their Employment Solutions Representative of client requests to use fire extinguishers.

## **General Fire Safety**

To extinguish a clothing fire on yourself, drop to the ground and roll to cause a smothering effect. For another person, use a blanket, or other means if available, to smother the fire.

1. Know where the fire safety equipment is in your work area. This may include hoses, blankets, alarms, or extinguishers.
2. Never load or stack materials or equipment that blocks access to fire safety equipment.
3. Employees must never tamper with or move fire equipment except for actual use.
4. Report any equipment defects immediately to your supervisor.
5. Never use flammable liquids for cleaning purposes.
6. Before using solvents, discuss needed precautions with your supervisor.
7. Use fire retardant blankets and screens when welding or cutting pose a fire hazard.
8. Know, and strictly follow, the smoking rules in your work area.
9. Learn the evacuation routes and gathering sites for each assignment facility.

## CHEMICALS AND HAZARDOUS MATERIALS

The Hazardous Communication (HAZCOM or Employee Right to Know) regulations require all employers to advise their employees of the presence of any hazardous materials being used in the workplace. With a client base that changes daily, it is not possible for Employment Solutions to make you aware of the hazardous materials in use at every site. Additionally, because we have no control over the client company's internal operations, we are often not advised when hazardous materials are in use. Nor do we know individual Safety/Emergency Plan provisions of each company. We do not want our employees to react to emergencies in a way that could cause increased injuries or make the situation worse. Employment Solutions therefore wishes to advise you in a general manner what you, our employee, can do to insure the greatest measure of personal safety on the job.

### Material Safety Data Sheets

All employees must have available to them Material Safety Data Sheets (MSDS) on every chemical in the work area. It is important to know how to read a Material Safety Data Sheet because this document explains safety information about chemicals in the work environment. While each manufacturer may format the information as they see fit, each MSDS must have the following information:

- Product name - material/trade name, product number, and common names.
- Product content - if the product is a mixture, the chemical components are generally identified.
- Physical and chemical characteristics - what the product should look like and in some cases the consistency. This section should also give the vapor pressure, boiling point, and flash point.
- Physical hazards - this is the potential for fire, explosion, or reactivity.
- Health hazards - THIS IS ONE OF THE MOST IMPORTANT SECTIONS FOR YOU TO REVIEW. This section will explain the signs and symptoms of exposure and any medical conditions which may be aggravated by working around or with this chemical. First aid suggestions are commonly found in this area as well.
- Safety considerations - this section will discuss routes of entry. That means how this chemical is most likely to enter your body (i.e. breathing, contact with skin, swallowing). This section will usually discuss the suggested, or in some cases required, PPE when handling or working around this chemical.

- Emergency contact information - this information will give you direction for contacting the manufacturer or in some rare cases the distributor.

Any client that uses chemicals in the workplace is required to have an "Employee Right to Know Station" where the MSDS are stored. Knowing where the MSDS are located and how to read one, gives you the critical keys to protecting yourself from any potential exposure at the client site. Ask your site supervisor where you can locate their material safety data sheets if you should need them.

Since Employment Solutions works with many client companies utilizing different chemical substances, it is our belief your personal safety is best insured by following the established safety procedures at your assigned work site. If you do not understand the procedures or the MSDS information, ask your supervisor. If your supervisor is unable to provide you with sufficient information to answer your question(s), ask your Employment Solutions Representative. We will be happy to obtain the information you requested.

So many of the materials you use every day at work and at home contain chemicals that could be hazardous to your health. More and more chemicals are being introduced into the work environment each year. Even common items like rubber cement are flammable and can be hazardous if improperly used. With this in mind, it is important that you take charge of your own safety and know what chemicals are in your work area - even if you are not directly working with them.

Employment Solutions employees are required to utilize all protective equipment required by general safety rules and material safety data sheets in the performance of their work assignments. If you are exposed to or contaminated by an unknown substance, contact your on-site supervisor immediately!

## Chemicals

Identifying labels and applicable precautionary measures are required on all chemicals and hazardous materials. The label will advise you if this chemical presents a hazard. Look for common identifications such as: DANGER, WARNING, or CAUTION. If you see these words on a chemical in your area, it is a good idea to check the MSDS to be sure you are knowledgeable of the hazards and safety measures needed in your work area. Many labels use the NFPA identification which is a combination of colors and numbers identifying hazards. In this case, the higher the number, on a scale of 0 to 4, the greater the hazard. The colors identify the following:

- Blue - Health Hazards
- Red - Fire Hazards
- Yellow - Reactivity Hazards, this may relate to interaction with other chemicals OR to exposure to heat.
- White - Special or Other hazards important to note.

Labels **MUST** be present on all chemicals at the time you are using them. **DO NOT** remove or alter a label on any chemical container. If you are unclear how to read a label or cannot find the MSDS for that chemical, ask your supervisor.

Do not use a chemical that has no identifying label. If you need to work with a chemical and must use a temporary container, be sure to label the container. If labels are not available, you must be in possession of the container at all times and must properly dispose of the unused chemical and the container when you are done with it.

Employees using or handling chemicals must practice daily hygiene in order to prevent skin dermatitis. **GOOD PERSONAL HYGIENE, PROPER PPE, and GOOD HOUSEKEEPING** are the three most important protective barriers against chemical hazards and are everyone's responsibility.

When working with chemicals, good hygiene includes but is not limited to:

- Washing your hands before and after using the restroom.
- Washing your hands before and after eating, drinking or smoking.
- Wearing freshly laundered clothes every day.
- Bathing every day.
- Avoiding hand to face contact before washing your hands.
- Washing or sanitizing your respirator (if required) before putting it on - each time.

In some cases, clients will advise that they will launder your work cloths and request that you do not take your work boots home. These instructions are given to prevent chemical contamination of your home. They must be followed carefully.

If you have questions about any chemical, ask your work site supervisor.

Do not use an unlabeled chemical if you are not **ABSOLUTELY SURE** what is in the container.

## **OFFICE SAFETY**

1. Keep your area free of hazards. Supplies and materials should be properly stored. Cords and lines should be positioned out of walkways.
2. Pull out only one (1) file drawer at a time. Close all drawers when not in use.
3. Never put glass or other sharp objects in the wastepaper container. Never put cigarettes, cigars, or other burning materials in wastepaper containers.
4. If you are required to climb stairs, do so carefully and USE the handrail. Do not skip steps.
5. Do NOT climb stairs when both hands are used to carry objects.
6. Do not sit on the edge of a chair, or any chair that is stabilized by less than all its legs.
7. Never use chairs, boxes or tables in place of a ladder.
8. Report any unsafe conditions and all accidents/injuries to your on-site supervisor IMMEDIATELY. All accidents/injuries must also be reported to your Employment Solutions Representative within 24 hours.
9. Dress for the job. Loose clothing, jewelry, and ties can become caught in machines such as shredders and copiers.
10. When spending long periods of time on the computer, be sure to look away from the screen frequently. Focus on a distant object for a few moments and return to what you were doing.
11. Familiarize yourself with the location of fire exits, fire extinguishers, and the facility emergency alert systems.
12. Learn the evacuation routes and gathering sites for each assignment.

## HOUSEKEEPING AND SLIPS/TRIPS/FALLS

Housekeeping plays a vital role in the prevention of serious hazards including, but not limited to, slips, trips, and falls, strains and sprains, fire, blocked emergency exits, and inaccessible fire extinguishers. In addition, general cleaning of the workplace will be addressed to prevent workplace injuries.

1. Aisles and work areas should be kept clear. Tools and materials should be neatly and securely stored.
2. Store waste, oily rags, and other flammable material in receptacles provided for that purpose.
3. Trash containers must not be overfilled.
4. Keep exits clear at all times.
5. Keep stairways and landings clear and free from material or dirt.
6. When a slippery substance such as water or oil is spilled on the floor, clean it up immediately.

Stay alert and pay attention to where you are walking. Walk around obstructions, not over or on them.

1. Walk, do not run.
2. If you see a spill, have someone stand guard while you report it to your supervisor.
3. Keep walkways, aisles, and stairs clear of tripping and falling hazards.
4. Always practice good housekeeping. Keep your work area clean. Properly dispose of trash in a timely manner.
5. Stay away from dock and platform edges.
6. Watch where you place power cords and hoses. Do not place power cords, cables, or hoses in walkways or where they are exposed to be run over by material handling equipment.

## INCIDENT REPORTING

ALL injuries, regardless of how small, must be reported to your supervisor and given appropriate care when the accident happens and **NO LATER THAN THE END OF YOUR SHIFT.**

Should you become injured or ill while on the job and need urgent medical aid, notify your on-site supervisor immediately or send a fellow employee to notify him/her. Follow up with Employment Solutions as soon as possible (but no later than 24 hours after the incident occurs) to file a report and be sure that we are informed of the situation.

Failure to report injuries or to receive medical treatment may result in serious infections or complications to your health. If you leave work prior to reporting the accident, your assignment will be terminated and it may result in denial of a Worker's Compensation claim.

Whenever outside medical assistance is needed, the supervisor or designee will arrange to call Employment Solutions and Employment Solutions will assist you. In some cases, only first aid will be required.

Additionally, if a coworker is injured in your immediate work area, find a supervisor immediately. Unless you are trained and authorized to do so, you should not render aid when there is a chance that you may be exposed to a bloodborne pathogen.



## UNIVERSAL PRECAUTIONS

"Universal Precautions" will be observed and enforced at Employment Solutions in order to prevent contact with blood or Other Potentially Infectious Materials (OPIM).

All blood will be considered infectious regardless of the perceived status of the source individual. Under circumstances in which differentiation between body fluids is difficult or impossible, all body fluids shall be considered infectious materials.

Universal precautions are intended to prevent exposure to human blood or other body fluids. The routes of transmission for occupational exposure are:

- Puncture of the skin with a contaminated sharp object,
- Contact with broken skin, and
- Splash to mucous membranes of the eye, nose, or mouth.

If an individual incurs a minor injury, first aid kit(s) will be available for self-treatment. In the case of a serious illness or accident, personnel will immediately call emergency services at 911 and then notify Employment Solutions management.

No personnel shall attempt to clean-up any infectious materials without proper training and protective equipment.

## **HARASSMENT & VIOLENCE IN THE WORKPLACE**

Employment Solutions is committed to ensuring all employees/managers are aware of all actual and/or potential health and safety hazards associated with their area of responsibility, provide the necessary health and safety information to all employees with regard to actual and/or potential hazards, and have knowledge of all appropriate health and safety written instructions. It is expected that managers will play an exemplary role in promoting a workplace that is free from harassment and violence.

Every employee/contractor/customer at Employment Solutions should be able to work without fear of violence and harassment, in a safe and healthy workplace. Employment Solutions will not tolerate any form of violence, harassment or abuse in any workplace against or by any employees, directors, managers, supervisors, contractors, suppliers, clients, visitors, or others.

Employees are expected to be mindful of actions or words that are, or may be construed as being, offensive or discriminatory in nature. These include, but are not limited to ethnic, racial, religious, and sexual slurs and jokes; remarks which may humiliate or offend persons with disabilities; and unsolicited and unwelcome gestures or physical contacts of a sexual nature. Although every effort will be made to resolve any incidents involving complaints of harassment or violence, Employment Solutions will not tolerate such behavior on the part of its managers, employees, assignees, or client companies. Any employee found to be engaging in such behavior will be disciplined accordingly. Disciplinary action may include a range of measures, up to and including dismissal. In the event that a client company fails to take the appropriate action to prevent or correct the harassment or violence of an Employment Solutions employee, Employment Solutions will intervene on behalf of the employee. If such intervention is not successful in stopping the harassment, Employment Solutions may terminate the assignment with the client company.

# SEXUAL HARASSMENT POLICY

## INTRODUCTION

Employment Solutions is committed to maintain a workplace free from sexual harassment. Sexual harassment is a form of workplace discrimination. All employees are required to work in a manner that prevents sexual harassment in the workplace. This policy is one component of Employment Solutions commitment to a discrimination-free work environment. Sexual harassment is against the law and all employees have a legal right to a workplace free from sexual harassment and employees are urged to report sexual harassment by filing a complaint internally with the Payroll Department. Employees can also file a complaint with a government agency or in court under federal, state or local antidiscrimination laws.

## POLICY

1. Employment Solutions Policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with Employment Solutions. In the remainder of this document, the term “employees” refers to this collective group.
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action, up to and including termination.
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse employment action including being discharged, disciplined, discriminated against, or otherwise subject to adverse employment action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. Employment Solutions has a zero-tolerance policy for such retaliation against anyone who, in good faith complains or provides information about suspected sexual harassment. Any employee of Employment Solutions who retaliated against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. Any employee, paid or unpaid intern, or non-employee working in the workplace who believes they have been subject to retaliation should inform a supervisor, manager, or Payroll Department. Any employee, paid or unpaid intern or non-employee who believes they have been a victim of such retaliation may also seek compensation in other

available forums, as explained below in the section on Legal Protections.

4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and subjects Employment Solutions to liability for harm to victims of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who knowingly allow such behavior to continue, will be penalized for such misconduct.
5. Employment Solutions will conduct a prompt, thorough and confidential investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. Employment Solutions will provide all employees a complaint form for employees to report harassment and file complaints.
7. Managers and supervisors are required to report any complaint that they receive, or any harassment that they observe to the Payroll Department.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

## WHAT IS “SEXUAL HARASSMENT”?

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual’s sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment, even if the complaining individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual’s employment

A sexually harassing hostile work environment consists of works, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual’s sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, which interfere with the recipient’s job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called “quid pro quo” harassment.

Any employee who feels harassed should complain so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

## EXAMPLES OF SEXUAL HARASSMENT

The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical assaults of a sexual nature, such as:
  - Touching, pinching, patting, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the victims job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities
- Sexually oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience, which creates a hostile work environment
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging and individual's work;
  - Bullying, yelling, name-calling

## WHO CAN BE A TARGET OF SEXUAL HARASSMENT?

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. A perpetrator of sexual harassment can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor.

## WHERE CAN SEXUAL HARASSMENT OCCUR?

Unlawful sexual harassment is not limited to the physical workplace itself. It can occur while employees are traveling for business or at employer sponsored events or parties. Calls, texts, emails, and social media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises or not during work hours.

## WHAT IS “RETALIATION”?

Unlawful retaliation can be any action that would keep a worker from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation.

Such retaliation is unlawful under federal, state, and (where applicable) local law. The New York State Human Rights Law protects any individual who has engaged in “protected activity”. Protected activity occurs when a person has:

- Filed a complaint of sexual harassment, either internally or with any anti-discrimination agency;
- Testified or assisted in a proceeding involving sexual harassment under the Human Rights Law or other anti-discrimination law;
- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- Complained that another employee has been sexually harassed; or
- Encouraged a fellow employee to report harassment

## REPORTING SEXUAL HARASSMENT

Preventing sexual harassment is everyone's responsibility. Employment Solutions cannot prevent or remedy sexual harassment unless it knows about it. Any employee, paid or unpaid intern, or non-employee who has been subject to behavior that may constitute sexual harassment is encouraged to report such behavior to a supervisor, manager, or Payroll Department. Anyone who witnesses or becomes aware of potential instances of sexual harassment should report such behavior to a supervisor, manager, or Payroll Department.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complain form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

Employees, paid or unpaid interns, or non-employees who believe they have been a victim of sexual harassment may also seek assistance in other available forums, as explained below in the section on Legal Protections.

## SUPERVISORY RESPONSIBILITY

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Payroll Department.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors, and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue.

Supervisors and managers will also be subject to discipline for engaging in any retaliation.



## COMPLAINT AND INVESTIGATION OF SEXUAL HARASSMENT

All complaints or information about suspected sexual harassment will be investigated, where that information was reported in verbal or written form. Investigations will be conducted in a timely manner, and will be confidential to the extent possible.

An investigation of any complaint, information or knowledge or suspected sexual harassment will be prompt and thorough, and should be complete within 30 days. The investigation will be confidential to the extent possible. All persons involved, including complainants, witnesses, and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation.

Any employee may be required to cooperate as needed in an investigation of suspected sexual harassment. Employment Solutions will not tolerate retaliation against employees who file complaints, support another's complaint or participate in an investigation regarding a violation of this policy.

While the process may vary from case to case, investigations should be done in accordance with the following steps:

- Upon receipt of complaint, the Payroll Department will conduct an immediate review of the allegations, and take any interim actions, as appropriate. If complaint is oral, encourage the individual to complete the "Complaint Form" in writing. If he or she refuses, prepare a Complaint Form based on the oral reporting.
- If documents, email or phone records are relevant to the allegations, take steps to obtain and preserve them
- Request and review all relevant documents, including all electronic communications
- Interview all parties involved, including any relevant witnesses;
- Create a written documentation of the investigation (such as a letter, memo, or e-mail), which contains the following:
  - A list of all documents reviewed, along with a detailed summary of relevant documents;
  - A list of all names of those interviewed, along with a detailed summary of their statements;
  - A timeline of events;
  - A summary of prior relevant incidents, reported or unreported; and

- The final resolutions of the complaint, together with any corrective action actions(s)
- Keep the written documentation and associated documents in the employer's records
- Promptly notify the individual who complained and the individual(s) who responded of the final determination and implement any corrective actions identified in the written document
- Inform the individual who complained of their right to file a complaint or charge externally as outlined below

## LEGAL PROTECTIONS AND EXTERNAL REMEDIES

Sexual harassment is not only prohibited by Employment Solutions but is also prohibited by state, federal, and where applicable, local law.

Aside from the internal process at Employment Solutions, employees may also choose to pursue legal remedies with the following governmental entities at any time. While a private attorney is not required to file a complaint with a governmental agency, you may seek the legal advice of an attorney.

In addition to those outlined below, employees in certain industries may have additional legal protections.

## NY STATE HUMAN RIGHTS LAW (HRL)

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court.

Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed a HRL complaint in state court.

Complaining internally to Employment Solutions does not extend your time to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment.

You do not need any attorney to file a complaint with DHR, and there is no cost to file with DHR.

DHR will investigate your complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring your employer to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400, [www.dhr.ny.gov](http://www.dhr.ny.gov) Contact DHR at (888) 392-3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

## CIVIL RIGHTS ACT OF 1964

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint, and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court.

The EEOC does not hold hearings or award relief, but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred.

If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at [www.eeoc.gov](http://www.eeoc.gov) or via email at [info@eeoc.gov](mailto:info@eeoc.gov)

If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

## LOCAL PROTECTIONS

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists. For example, employees who work in New York City may file complaints of sexual harassment with the New York City Commission on Human Rights. Contact their main office at Law Enforcement Bureau of the NYC Commission on Human Rights, 40 Rector Street, 10th Floor, New York, New York; call 311 or (212) 306-7450; or visit [www.nyc.gov/html/cchr/html/home/home.shtml](http://www.nyc.gov/html/cchr/html/home/home.shtml)

## CONTACT THE LOCAL POLICE DEPARTMENT

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the local police department.

## **EARLY AND SAFE RETURN TO WORK**

Accommodated Duties will be provided for all employees returning to work after extended periods of absence, or for employees with medical restrictions that would require them to remain off work. Every reasonable effort will be made to accommodate the individual restrictions and limitations of each employee during their rehabilitation and recovery period.

The employee will contact their Employment Solutions Representative within 24 hours if an injury or illness occurs that may require medical attention, or results in the employee's reduced ability to work. For non-work-related injuries or illness, employees will be given a "Health Care Practitioner's Functional Abilities Form" (or a short-term disability claim form) to be completed by their physician.

In the case of work-related injuries, employees will also be given a "Health Care Practitioner's Functional Abilities Form" to be completed by their physician. The completed form contains critical information that will allow the Health and Safety Coordinator to assist the manager/supervisor in identifying suitable modified work.

Employees will be offered modified work (when available) to start on their next scheduled shift. In the absence of a completed form, standard medical restrictions will be assumed. A written modified work offer will be given to the employee and a copy will be faxed to the insurer organization (WCB, WSIB or insurance carrier).

In all situations, individualized accommodated work plans will be developed in consultation with the employee, treating practitioner, and manager/supervisor as necessary to ensure a safe return to work at the earliest opportunity.

It should be noted that the confidentiality of employee's diagnosis and other personal health information will be maintained at all times.

## DIRECT DEPOSIT FAQ

### **Q. Is direct deposit available?**

**A.** Yes. Employees may elect to direct deposit their check by completing a Direct Deposit Enrollment Form and submitting it along with some form of backup showing the account information (such as a voided check). Direct Deposit Enrollment Forms are available at your local branch office and on our website. Additionally, applicants may elect to sign up for direct deposit while completing their online application. Employment Solutions also offers Rapid Pay Cards. In states where it is allowed by law, Employment Solutions will practice paperless payroll – meaning that all employees in those states must enroll in some form of direct deposit.

### **Q. How long does it take to get my direct deposit started?**

**A.** Usually, the 2nd payroll following your enrollment. To make sure deposit information is correct, “pre-noting” (a practice run) takes place the 1st payroll following your enrollment, and you will still receive a paycheck. The direct deposit will then occur on the 2nd payroll following your enrollment if the pre-note was successful. If you enter your direct deposit information during your online application, this pre-note process does not take place. This means that your direct deposit will be in place immediately, so please ensure that the information added is accurate.

### **Q. Can I make a direct deposit to more than one account?**

**A.** Yes, direct deposits can go in up to three different checking/savings accounts. Each account will need a percentage assigned to it on a Direct Deposit Enrollment form. The percentages assigned must total 100%.

### **Q. How do I change my bank account information for my direct deposit?**

**A.** You can update your direct deposit information by completing a Direct Deposit Form and selecting the Change option. This form may be obtained at your local branch office or on our website.

### **Q. Can I have my check deposited into different accounts on different pay dates?**

**A.** No, Employment Solutions cannot change your accounts for certain pay dates or checks.

**Q. If I stop my direct deposit now, will it go into effect immediately?**

**A.** The direct deposit cancellation will go into effect for the next payroll (provided the payroll has not already closed out for processing). Your direct deposit information stays on file until you select to cancel it. Failure to update your direct deposit information upon changes will result in your paycheck being sent to an account you may have closed since your last assignment.

**Q. What do I do if I had to close the bank account into which my pay was being deposited, but I did not inform the Payroll Department?**

**A.** If you changed accounts within the same bank, contact the bank, they may still have your old account open. Please contact the Payroll Department at 607-732-7354 as soon as possible to be instructed about the steps that need to be taken.

**Q. What are the benefits of Direct Deposit?**

**A.** Direct Deposit is safe, simple, and convenient. Your check will be electronically deposited in your account(s) on payday even if you are out of town or ill. You will not have to wait in line at the bank or make special trips to the bank, which will save on gas. You will not have to worry about mail delays, lost checks, or missing a check when you are out of town. Payroll changes can be made quicker. Many banks and other financial institutions offer incentives for using Direct Deposit.

**Q. How can I determine the Routing Number for my financial institution?**

**A.** If you have a checking account look at the bottom left corner of your checks. Usually, the first nine digits are the Routing Number. Contact your financial institution if you wish to direct deposit into your savings account or if you are unsure of the correct Routing Number.

## DEDUCTIONS FAQ

**Q. How do I change my filing status and/or other tax adjustments for my federal/state taxes?**

**A.** You can update your status and adjustments by completing a federal W-4 form or the equivalent state form for your location. These forms can be obtained at your local branch office.

**Q. If I carry an out-of-state address on my W-4, what taxes do I pay?**

**A.** Taxes are withheld based on the state in which you work.

**Q. What is FICA?**

**A.** FICA is also known as Social Security tax. All employees are subject to FICA taxes.

**Q. Too much tax was taken out of my paycheck. What do I do?**

**A.** Please contact the Payroll Department at (607) 732-7354 to discuss your situation.

**Q. Why is my pay different from my friends when we worked the same amount of hours?**

**A.** Claiming a different tax status or amount of adjustments, or different deductions will affect employee's net pay. We encourage all employees to keep their payroll information confidential.

**Q. I noticed a deduction on my paycheck that I am unsure what it is?**

**A.** Frequent deductions include child support, tax levies/garnishments, and vouchers for equipment. Please contact the Payroll Department at (607) 732-7354 to discuss your situation.

**Q. I would like to voluntarily submit Child Support documentation to have my deductions begin immediately so I do not get behind, where do I send it?**

**A.** Child Support is processed by our Payroll Department; you can submit your documentation by fax 607-732-7362, e-mail [payroll@esnyinc.com](mailto:payroll@esnyinc.com), or drop off at your local branch office.

**Q. How do I stop a garnishment on my check?**

**A.** You cannot. An official court order is mailed to the company to authorize termination of the garnishment. This is usually mailed to you soon after the court order has been made. Once you received the official court order, please provide us with a copy and we will terminate the garnishment.



**Q. Can I issue additional child support out of my paycheck or have Employment Solutions deduct money so I can pay a bill?**

**A.** No, Employment Solutions does not allow additional child support to be submitted or non-work-related deductions to be authorized such as for paying personal bills. Additional child support can be submitted through Expert Pay at [www.expertpay.com](http://www.expertpay.com) or by contacting your designated Child Support office.

**Q. Why am I being charged a fee for my child support order?**

**A.** We will charge an administrative fee for processing child support orders as allowed per state regulations.

## GENERAL FAQ

**Q. How do I change my home address?**

**A.** You can update your home address by completing our Address Change Form. You can obtain this form at your local branch office or on our website.

**Q. I want to change my name because I just got married/got divorced. What do you need from me to do that?**

**A.** From a US citizen: To change someone's last name we require his or her updated social security card. From a Non-US Citizen: We require his or her updated passport. We also recommend that they get their social security card changed as well and bring it in to us to update their records.

**Q. How can I obtain a summary of my earning for either the current or prior years?**

**A.** Please complete an Information Request Form. This form can be obtained at your local branch office or on our website.

**Q. How can I get a copy of a previous check?**

**A.** Visit our Employee Portal or complete an Information Request form at your local branch office. This form is also available on our website.

**Q. How can I contact the Payroll Department?**

**A.** Employment Solutions' Payroll Department can be contacted by calling 607-732-7354, e-mailing [payroll@esnyinc.com](mailto:payroll@esnyinc.com), or by fax 607-732-7362.

**Q. I have to provide verification of employment to a third party. What do I do?**

**A.** Employment Solutions utilizes I2Verify for employment verifications. They can be reached at 1-888-458-6319 Ext 704 or [www.i2verify.com](http://www.i2verify.com).

Alternatively you will need to complete an Information Request form. This can be obtained at your local branch office. Please provide details of where and to whom the information should be sent.

**Q. Can I obtain paycheck information without calling the Payroll Department?**

**A.** Yes. You can access your paycheck information electronically from the Employee Portal.

**Q. What is required for an employee who serves on jury duty?**

**A.** An employee who serves on jury duty must submit a copy of the Certification of Jury Service to Employment Solutions.

**Q. When is my timesheet due?**

**A.** Timesheets are due in our office prior to 10:00 A.M. EST on Tuesdays. This time may change due to Holiday schedules, please contact the Payroll Department at (607) 732-7354. Timesheets must be fully completed and signed by both yourself and your supervisor in order to be accepted by the Payroll Department.

**Q. I am looking to file an Unemployment Claim, how do I do this?**

**A.** Employment Solutions does not assist with filing Unemployment Claims. You should contact your local Department of Labor office for assistance.

## W-2 FAQ

**Q. How will I receive my W-2 Form since I have moved?**

**A.** Please be sure to complete an Information Change Form to update your most current address. You can obtain this form at your local branch office or on our website.

**Q. What do I do if I lost my W-2 or never received my W-2?**

**A.** You will need to complete an Information Request Form, which can be obtained at your local branch office or on our website. W-2s can also be viewed via the Employee Portal.

**Q. When will my W-2 be issued?**

**A.** Employers are required to mail W-2s to employees by January 31. Employment Solutions will meet the required deadline and make every effort to issue W-2s earlier than the required deadline. W-2s can also be viewed via the Employee Portal.

**Q. What is the difference between a W-4 form and a W-2 form?**

**A.** A W-4 is the IRS form that employees complete and sign to determine the amount of federal tax withholding. If an employee does not complete a W-4, IRS requires a default of "Single with no other adjustments". The W-2 is a statement of gross wages earned and taxes withheld during a calendar year.

## **PAY STUB AND PAY CHECK FAQ**

### **Q. Why am I not receiving my check stubs?**

**A.** Our policy is to have check stubs e-mailed to the employees. Check stubs are also available via our Employee Portal.

### **Q. Where and when can I pick up my paycheck?**

**A.** Your paycheck can be picked up at your local branch office on Fridays during normal business hours. The Payroll Department does NOT distribute paychecks. Any checks not picked up by the end of our office's business day on Fridays will be mailed to the address that we have on file.

### **Q. Can I get my paycheck early?**

**A.** No, employees cannot be paid any earlier than the scheduled pay date.

### **Q. Why have I not been paid?**

**A.** Employees will not be paid if their timecard is not submitted to the Payroll Department by the appropriate deadline or the timecard received is not fully completed. It would be processed the following pay period. Please contact the Payroll Department so they can look into why you have not been paid. They may request you fill out a Payroll Investigation Request Form.

### **Q. I think my payroll check is short/I was overpaid. Whom do I contact?**

**A.** Always contact the Payroll Department so they can look into your situation. They may request you fill out a Payroll Investigation Request Form.

### **Q. What if I didn't use the Employment Solutions time clock?**

**A.** In the event you do not clock in or out for your shift, it is your responsibility to provide Employment Solutions with proof you worked your shift. Payroll will not track down if you worked a shift or not. It is your responsibility to clock in at the start of your shift and out when you finish your shift. Pay will be issued the next payroll period after documentation has been provided that the shift was worked.

### **Q. How do I know if I clocked in/out successfully?**

**A.** After you clock in/out wait and read the time clock to make sure your name appears after each clock in and out.

**Q. I lost my paycheck, what do I do?**

**A.** Immediately fill out a Re-issue Check Form, which can be obtained at your local branch office or on our website. The Payroll Department will wait two weeks from the date your original check was issued to stop payment and re-issue another check. If a replacement check is issued by Payroll, and the lost check is found, the employee should bring the “lost” check to their local branch office. If your address has changed, please complete an Information Request Form, which can be obtained at your local branch office or on our website.

**Q. What dates are included in each pay period?**

**A.** The majority of Employment Solutions assignments run Monday – Sunday, however a few assignment locations run different dates (for example Sunday – Saturday). Please contact the Payroll Department if you have further questions.

**Q. I found an old check that I cannot cash. What do I do?**

**A.** Return the check to the Payroll Department by mail or to your local branch office by person. If you mail the check, be sure to include a letter explaining why you have mailed it to us and how you would like to get the replacement check (pick up or by mail).

**Q. What if a payday falls on a holiday?**

**A.** If the normal payday falls on a bank holiday, the check will be paid on the previous non-holiday business day.

**Q. What if I am overpaid or I receive a paycheck for time I did not work?**

**A.** You will be required to return the overpayment to Employment Solutions. If the overpayment was deposited into your account, you must keep the funds available in your account to be returned to Employment Solutions. If the overpayment was on a paper check, please contact the Payroll Department and bring the check into your local branch office. In the event that you fail to return an overpayment, Employment Solutions will proceed with legal action.

## **INSTRUCTIONS FOR ACCESSING THE EMPLOYEE PORTAL**

1. Visit our website at [\*\*www.employmentsolutions-ny.com\*\*](http://www.employmentsolutions-ny.com).
2. Click on “Employee Login” at the top of the page
3. Click on “Create Account” underneath the login prompt
4. Enter your last name your full Social Security Number
5. Create your account username & password (this is what you will use to log into the employee portal in the future)
6. Go back to the employee portal
7. Login using your newly created username & password

If you need further assistance, please contact the Payroll Department.

### **AVAILABILITY OF POLICY UPDATES**

A copy of these policies and any updates made to them is available for viewing on the Employment Solutions website at [\*\*www.employmentsolutions-ny.com\*\*](http://www.employmentsolutions-ny.com). It is your responsibility to be aware of these policies and any changes made to them. Employment Solutions reserves the right to make changes to these policies at any time with no advance notice given. Updates made to these policies may supersede, modify, or eliminate the existing policies. Only the management of Employment Solutions has the authority to revise the policies in this Handbook.

## **RECRUITING OFFICE LOCATIONS**

111 North Main Street  
Elmira, NY 14901  
Phone: 607-732-7350  
Fax: 607-846-2817

By Appointment Only  
Binghamton, NY  
Phone: 607-217-7133  
Fax: 607-217-7042

760 Route 10 W, Suite 206  
Whippany, NJ 07981  
Phone: 973-585-6344  
Fax: 973-585-6346

49 Welles Street, Suite 200  
Glastonbury, CT 06033  
Phone: 860-659-3500  
Fax: 8660-659-3560

379 Broad Street, Suite 1  
Waverly, NY 14892  
Phone: 607-249-6282  
Fax: 570-886-2478

86 West Market Street  
Corning, NY 14830  
Phone: 607-654-7713  
Fax: 607-846-2817

4130 Oleander Ste 103  
Wilmington, NC 28403  
Phone: 910-765-9532  
Fax: 888-352-1340

26 Conkey Ave  
Norwich, NY 13815  
Phone: 607-335-4030  
Fax: 607-846-2817

3601 W Commercial, Suite 12  
Ft. Lauderdale, FL 33309  
Phone: 954-484-5401  
Fax: 954-484-9505

6625 Miami Lakes Dr,  
Suite 379  
Miami Lakes, FL 33014  
Phone: 305-826-3441

3010 LBJ Freeway, Suite 1200  
Dallas, TX 75234  
Phone: 972-888-6083

## **PAYROLL OFFICE LOCATION**

payroll@esnyinc.com  
Phone: 607-732-7354  
Fax: 607-732-7362  
Fax2: 1-888-315-6608



## STATE SPECIFICS NOTICES:

**New York**

### **SECTION 203-E**

#### **Prohibition of discrimination based on an employee's or a dependent's reproductive health decision making**

#### **Labor (LAB) CHAPTER 31, ARTICLE 7**

§ 203-e. Prohibition of discrimination based on an employee's or a dependent's reproductive health decision making. 1. An employer shall be prohibited from accessing an employee's personal information regarding the employee's or the employee's dependent's reproductive health decision making, including but not limited to, the decision to use or access a particular drug, device or medical service without the employee's prior informed affirmative written consent.

2. An employer shall not:

(a) discriminate nor take any retaliatory personnel action against an employee with respect to compensation, terms, conditions, or privileges of employment because of or on the basis of the employee's or dependent's reproductive health decision making, including, but not limited to, a decision to use or access a particular drug, device or medical service; or

(b) require an employee to sign a waiver or other document which purports to deny an employee the right to make their own reproductive health care decisions, including use of a particular drug, device, or medical service.

3. An employee may bring a civil action in any court of competent jurisdiction against an employer alleged to have violated the provisions of this section. In any civil action alleging a violation of this section, the court may:

(a) award damages, including, but not limited to, back pay, benefits and reasonable attorneys' fees and costs incurred to a prevailing plaintiff;

(b) afford injunctive relief against any employer that commits or proposes to commit a violation of the provisions of this section;

(c) order reinstatement; and/or

(d) award liquidated damages equal to one hundred percent of the

award for damages pursuant to paragraph (a) of this subdivision unless an employer proves a good faith basis to believe that its actions in violation of this section were in compliance with the law.

4. Nothing in this section shall be construed to limit any rights of an employee provided through any other provision of law, common law or collective bargaining unit.

5. Any act of retaliation for an employee exercising any rights granted under this section shall subject an employer to separate civil penalties under this section. For the purposes of this section, retaliation or retaliatory personnel action shall mean discharging, suspending, demoting, or otherwise penalizing an employee for:

(a) making or threatening to make, a complaint to an employer, co-worker, or to a public body, that rights guaranteed under this section have been violated;

(b) causing to be instituted any proceeding under or related to this section; or

(c) providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry into any such violation of a law, rule, or regulation by such employer.

6. An employer that provides an employee handbook to its employees must include in the handbook notice of employee rights and remedies under this section.

7. If any word, phrase, clause, sentence, paragraph, subdivision, or part of this section or the application thereof to any person or circumstances shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, and the application thereof to other persons or circumstances, but shall be confined in its operation to the word, phrase, clause, sentence, paragraph, subdivision, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstances involved. It is hereby declared to be the intent of the legislature that this section would have been enacted even if such invalid provisions had not been included herein.

## EMPLOYEE AGREEMENT AND SIGNATURE

I understand that I must abide by these written policies and any updates made to them that are posted on the Employment Solutions website. I have read the above policies and am aware that a copy will be placed on file with my application for me to review at any time. I also understand that these policies never expire. I understand that as long as Employment Solutions keeps these policies on file and as long as I am employed by Employment Solutions, these policies are in effect. I understand that I may have separations in employment from Employment Solutions and upon being re-hired by Employment Solutions these policies would still be in effect. I also understand that signing these policies does not mean Employment Solutions is guaranteeing my employment. Additionally, I authorize Employment Solutions to release my payroll/employment information, address, and/or phone number for the purposes of employment verifications and/or reference checks. By my signature below, I acknowledge, understand, accept and agree to comply with the information contained in the Employee Policies provided to me by Employment Solutions.

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