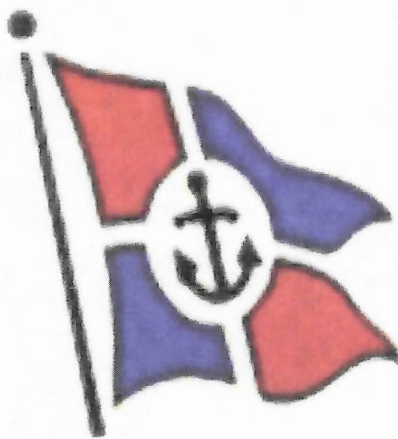


# **FDL MARINE**

## **EMPLOYEE MANUAL**

### **General Policy & Procedures**



Welcome to FDL Marine...

As an employee of FDL Marine, you are an important member of our team. Your employment experience will be a positive one as you take the time to become familiar with our company policies & procedures and your shared responsibility in FDL Marines commitment to excellence.

You are required to read and understand this Employee Manual in its entirety so that you become familiar with all policies, procedures, rules & regulations.

The policy information is in alphabetical order as outlined in the Table of Contents. If you find a term that is not familiar to you, you will find definitions in the Glossary at the back of the manual. If you are unclear as to any policy, procedure, rule or regulation, you are required to seek clarification from Management immediately, so as to have a clear understanding and purpose of any policy, procedure, rule or regulation.

This manual provides the policy, procedure, rules and regulations for general operations of FDL Marine as a whole. The "Operational Procedure Manual" is a separate manual that provides the specific operational procedures for FDL Marine and will include step-by-step instructions on how to complete certain task (i.e., opening & closing, cash register operation, etc) related to the facility.

**Notice:** This manual should not be construed in any way to constitute an agreement between FDL Marine and its employees with respect to level of compensation, duration of employment or any other matter. Employment at FDL Marine is considered "At Will" employment, unless otherwise noted in writing. Under no circumstances should this manual be considered a contract of employment.

## Table of Contents

Welcome .....	2
Philosophy .....	5
Preface .....	6

### **I. Standards of Excellence**

Affirmative Action .....	7
Alcohol and Drug Free Workplace .....	7
Attendance .....	7
Communications.....	7
Computing Ethics .....	7
Conflict of Interest .....	8
Conflict of Orders .....	8
Consensual Relationships .....	8
Customer Sensitivity .....	8
Disability and Disabled Veteran .....	9
Dress Requirements .....	9
Employment of Relatives/Friends .....	9
Equal Employment Opportunity .....	9
Ethics .....	9
Inclusion .....	10
Personal Interests .....	10
Productivity .....	10
Professionalism .....	11
Safety and Security .....	11
Sexual Harassment .....	12

Smoke Free Workplace .....	12
Solicitation .....	12

### **II. Employment**

Alcohol and Controlled Substance Testing .....	12
Cell Phone Use .....	13
Criminal Background Check .....	13
Driver's License .....	13
Employee Records .....	13
Employment Status .....	13
Holidays .....	14
Probationary Period .....	14
Pay Calculation .....	14
Pay Days .....	14
Pay Roll .....	14
Payroll Withholding .....	14
Professional Licenses .....	14
Re-Employment .....	15
Special Employment Circumstances.....	15
Termination of Employment.....	15
Work Breaks .....	15
Work Week .....	15

### **III. Employee Development**

Employee Recognition .....	16
First Aid/CPR .....	16
Performance Management .....	16
Positive Corrective Action .....	16

### **IV. Compensation and Benefits**

Benefits .....	17
Earned Time Off (ETO) .....	17
Jury Duty .....	17
Leaves of Absence .....	18
Military Leave .....	18
Overtime Pay .....	18

### **V. Miscellaneous Policy**

Accident, Injury & Illness Reporting .....	19
Boat Operation .....	19
Clocking In & Out .....	19
Complaints .....	19
Deterrents to Workplace Violence .....	19
Equipment & Operation Thereof .....	19
Gossip .....	20
Grievance .....	20
Identification Cards .....	20
Key Control .....	20
Material Safety Data Sheets (MSDS) .....	20

Operational Procedure Manual .....	20
Pass On Book/Log .....	20
References .....	21
Trade Secrets .....	21
Unauthorized Use .....	21
Vehicles .....	21
Vendor Relationships .....	21
Verification of Employment .....	21
VIP/Visitors .....	21
Work Rules .....	21
Glossary .....	22/23



## **Preface**

You may wonder how the Management Philosophy of FDL Marine affects you directly. The basic principle underlying FDL Marine Management Philosophy, Policies and Procedures is one of mutual respect and shared responsibility. This can only be achieved through effective and ongoing communications. With that in mind, it is important that expectations for both FDL Marine and the employee are clearly stated in order to achieve a positive and productive working relationship. Each individual responsibility's are summarized as follows:

### ***FDL Marine will work to:***

- Foster and preserve open communications.
- Offer opportunities to develop new ideas and projects.
- Promote standards of excellence of which all employees can be proud.
- Treat all individuals fairly, equitably, and courteously.
- Set aggressive but achievable goals.
- Serve employees through a talented team of leaders.
- Provide employees with means to discuss company practices.
- Solicit employee input as necessary on a variety of issues.
- Develop appreciative leadership.
- Promote an inclusive environment.

### ***The employee will work to:***

- Conduct themselves in a professional and productive manner.
- Treat all members of the community fairly, equitably, and courteously.
- Comply with all approved policies, procedures, rules & regulations.
- Raise issues of ethics, conflict, and concern with the proper personnel, as necessary.
- Promote high standards of performance in themselves and among their peers.
- Value the different perspectives of team members, divisions, and departments.
- Emphasize a service orientation throughout the /marine service community.

## **Section I - Standards of Excellence**

For FDL Marine to achieve its mission every employee must share responsibility for specific standards that promote excellence. These standards, as defined by the company, identify the basic requirements for a productive work environment. The standards include such relevant issues as ethics, leadership, nondiscrimination, and safety, as well as other topics that provide the foundation for a /marine service based community in which positive employee relations can flourish. FDL Marine, its Management and employees share the responsibility for complying with and promoting these standards throughout the company.

### ***Affirmative Action***

FDL Marine establishes Affirmative Action goals to achieve a diverse applicant pool in an effort to build a qualified workforce reflecting the composition of our community and overall region.

### ***Alcohol and Drug Free Workplace***

The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or controlled substances including illicit drugs, is prohibited on property owned, managed or operated by FDL Marine, and is grounds for corrective action. No FDL Marine employee may report to or engage in company related work or event while under the influence of illegal drugs or alcohol. Employees who are convicted of a criminal drug statute as a result of an incident occurring in the workplace, or while on company property, must notify Management in writing within three days of his or her conviction. Such conviction will be grounds for mandatory evaluation and possible treatment for substance abuse disorder and for corrective action, up to and including termination. Employees, who have the need for assistance in avoiding the use of alcohol or controlled substances, should contact FDL Marine Management for assistance in obtaining information on an Employee Assistance Program, if such program is available. If no such program is available, FDL Marine will assist the employee in any way possible, to obtain the necessary assistance.

### ***Attendance***

Punctuality and regular attendance are essential to insure optimal productivity and customer service. All employees are expected to report to work on time everyday that they are scheduled to work and to maintain a satisfactory record of attendance.

FDL Marine considers excessive absenteeism disruptive and unacceptable and subject to corrective action. Excessive absenteeism is defined as repeated occurrences of unscheduled absences and/or tardiness that are unrelated to approved time off.

### ***Communications***

The employment relationship is a shared responsibility of both FDL Marine Management and employee. FDL Marine promotes good employee relations through ongoing communications which include periodic notices, pass-on, electronic mail, handbooks, brochures, and policy/procedures. A hallmark of FDL Marines commitment to fair and equitable treatment is its policy of dealing directly with employees without the presence of external representatives.

### ***Computing Ethics***

Computing resources are available for efficient processing of legitimate company business and communications. Access to and usage of computing technology places a responsibility on each authorized employee to conduct computing business in the same ethical manner that is required of all other conducts with added concerns for: 1) legal use of licensed software, 2) protection of confidential information, 3) legitimate use of hardware/software/periphery devices, 4) legitimate access to and use of valid data, 5) asset Management, 6) right to privacy, 7) respect for and safeguarding of security passwords, user identity, and system access, 8) appropriate use of e-mail as an efficient communication tool, and 9) legal and appropriate use of the internet. Employee's business use of FDL Marine owned computer system must have prior Management approval. Personal use of any FDL Marine owned or operated computer system is strictly prohibited and subject to corrective action.



### ***Conflict of Interest***

All employees, while acting for or on behalf of FDL Marine, shall demonstrate both loyalty to the company and the highest standards of ethics. Employees should ensure that outside activities do not conflict with or reflect adversely on the company's interest nor deprive the company legitimate work time. The following list provide examples of conflicts to avoid: financial dealings that are contrary to the company's best interests; membership equity or employment relationships that may be in conflict; acceptance of favors, money (not withstanding reasonable tips) or other considerations which might obligate the recipient to take action adverse to the company's interest. Service department technicians and/or mechanics, and certain other employees, may be required as a condition of employment, to sign a "non-compete" agreement at the time of employment, that would prohibit them from providing such services on the side (including part-time) to any competitor during their employment with FDL Marine without written authorization from Management. Employees must disclose actual or any potential conflicts to Management as soon as they become aware of them.

### ***Conflicting Orders***

If an employee at anytime receives conflicting orders/instructions from any FDL Marine Management member, the employee shall immediately inform Management of the conflict.

### ***Consensual Relationships***

FDL Marine is a community that values an environment of inclusion, trust, and respect as beneficial for the working environment. Romantic or sexual relationships may occur in a /marine environment given the number of people at any one given company ran facilities. All relationships must be consensual; but, even though the relationship is consensual, it can raise serious concerns about the validity of the consent, conflicts of interest, and preferential treatment.

There are certain circumstances when romantic or sexual relationships are expressly prohibited, unless managed as described below:

FDL Marine considers sexual relationships between Management and employees, even if deemed to be mutually consenting relationships, to be a basic violation of professional ethics and responsibility when one party has any professional responsibility for the others job performance or professional future. Because of the asymmetry of these relationships, such relations may be difficult to access, may be deemed not possible, and may be construed as coercive. Such relationships also may have the potential to result in claims of sexual harassment.

Romantic or sexual relationships between Management and his/her supervised employee, are prohibited while the supervisor has direct supervision of or any influence on the employees evaluation or progress. A preexisting relationship which could reasonably be perceived as having any influence on the objective evaluation of the employee/supervisor must be immediately disclosed by the employee/supervisor to the appropriate Management and a Management plan, acceptable to FDL Marine Management, must be implemented to assure that the employee receives objective evaluation and supervision. All allegations, reports (or other information) relating to unreported romantic or sexual relationships, where one party has evaluative or supervisory responsibilities over the other party, will be investigated. If noncompliance is ascertained, measures will be taken to ensure suitable supervision/evaluation of the supervisee, and appropriate disciplinary measures with regard to the supervisor/staff member will be taken. Persons in violation of this policy shall be subject to sanctions ranging from verbal warnings to termination, as provided by applicable company policies.

### ***Customer Sensitivity***

Employees are required to use excellent customer service skills when dealing with all FDL Marine customers. Employees shall at all times be respectful and courteous, and at all times shall project a positive and professional image when interacting with our customers. In all cases of customers that have and boat at FDL Marine, employees should refrain from acknowledging to any third party, regardless as to the relationship of the third party, any form of conformation of the presence of customer. It shall be the policy of FDL Marine to only take the information (i.e., telephone number, name, etc.) of the third party, and advise that you will pass on the information to the customer/boater in question, if they are in fact there.

### ***Disability and Disabled Veteran***

FDL Marines Affirmative Action program includes the equal employment and advancement in employment of persons with a disability and disabled veterans. Employees who would like to participate in this program may disclose the nature of the disability to Management. If a disability affects the employee's performance or might create a threat to the employee or others, then additional information will be helpful such as: 1) the skills and procedures the employee uses or intends to use to perform the job, and 2) the accommodations that the company may make which would help the employee perform the job properly and safely.

### ***Dress Requirements – Personal Appearance***

Every employee contributes to the company image. While employees will have the right to personal preferences in dress, the overall image will be one of professionalism at all times and as appropriate for a particular function. The company reserves the right to restrict dress for legitimate reasons relating to safety, hygiene or environmental conditions.

Certain employees will be issued and required to wear company logo shirts while engaged in any company work related activity. It shall be the employee's responsibility to insure that such issued items are clean and neat. Khaki shorts/pants or jeans with no tear or rips, are approved for daily dress. Service department employees may wear approved work pants. Baseball style caps with the company logo are also permitted.

All employees are required to report to work in a clean and professional manner at all times. Employees shall report to work well groomed that projects a professional image at all times. All employees are required to wash their hands before and after using the restroom. – No exceptions!

### ***Employment of Relatives/Friends***

Employees are to avoid or remove themselves from situations that may compromise their authority by making decisions favoring one's own gain or gain for personal friends or family members. The specific areas of concern include but are not limited to; billing/invoicing customers, contract awards, accurate record keeping, hiring, performance reviews and compensation decisions.

### ***Equal Employment Opportunity***

FDL Marine does not discriminate in recruitment, employment, nor policy administration on the basis of race, religion, age, sex, color, disability, sexual orientation, national or ethnic origin, political affiliation, or status as a disabled veteran or veteran.

If an employee believes that the Affirmative Action and Equal Employment Opportunity policy is not being fully implemented, then the employee may discuss any concerns with FDL Marine Management or request a review process as outlined in the Staff Grievance Policy and Procedure.

### ***Ethics***

A shared code of ethics among all employees strengthens the overall quality of our community. The norm of expected conduct will be governed by truthfulness, openness to new ideas, and consideration for the individual rights of others, including the right to hold and express opinions different from one's own.

Each employee must regard oneself as a mentor for others. To safeguard the standards on which everyone depends, each employee must accept individual responsibility for behavior and work, and refrain from taking credit for the work of others. The culture of a company also requires that the rights of all be protected, particularly by those entrusted with authority for judgment of the work of others.

### ***Inclusion***

Being a human community, the company is subject to human failings, ambiguities, and errors. Therefore, the responsibility lies with those regulating the affairs of staff to maintain processes for judging and resolving instances where these principles may have been violated. However, all such systems depend for their effectiveness, in turn, on



the acceptance of common norms of conduct - the ties of trust which bind the company and the community together. FDL Marine is a company that prides itself on being understanding, welcoming, and supportive to all employees. Therefore, valuing diversity is a key part of FDL Marine's employment standards. The key principles in fostering inclusion are:

- The ability to achieve common goals while valuing differences
- The opportunity for employees to develop their skills to their full potential
- Ongoing communications amongst Management & staff
- Celebration and social activities that build awareness and appreciation

#### ***Personal Interests***

FDL Marine is aware of the challenge for high performing employees to balance their work lives with the demands of full personal lives. Therefore, FDL Marine suggests that employees be aware of the following guidelines:

- Family Relations – FDL Marine promotes strong family ties. Family members are allowed at the workplace on special occasions as long as the visit does not jeopardize the productivity or safety of the employee and others in the work area.
- Personal Interest in Nonprofit Causes – FDL Marine recognizes that employees participate in many organizations that conduct fundraising. However, an employee should not actively solicit another employee or customer at work with goods for sale as a fundraiser for a nonprofit organization. Only company approved fundraising activities may be conducted while at work.
- Social Responsibility - Employees are encouraged to participate in community activities and organizations, but must confine their activity to nonworking hours. If employees have an opportunity to integrate the company and the greater community, the employees should discuss the collaboration with Management to insure company approval. No resources of the company may be at the disposal of outside organization without prior approval.

#### ***Productivity***

All employees are expected to meet high productivity standards. At FDL Marine, productivity relates to the time Management, teamwork, efficiency, cooperation, and contribution. The standards contributing to high productivity include, but are not limited to, the following:

- Consistently reporting to work and leaving work according to work schedules
- Fully engaging in work while on paid time
- Being prepared for meetings, asking for assistance when necessary and meeting deadlines
- Limiting unscheduled absences
- Minimizing the need to conduct personal business during work hours

#### ***Professionalism***

Professionalism in communications and behavior is the only acceptable form of interaction on all FDL Marine property and in company business settings. Every employee is expected to conduct himself/herself in a manner that is a positive reflection of the company. When differences of opinions occur, only constructive, legitimate, and respectful forms of communication are considered appropriate.

### ***Safety and Security***

FDL Marine expects that all employees will share the responsibility for the safety and security of themselves, fellow employees, customers and guests, and maintain reasonable care when using company property. Everyone must comply with company written policies and guidelines and all Federal, State and Local regulatory bodies, including fire and police agencies. All employees are expected to comply with safety practices relating to their work and company guidelines. Safety practices may include, but are not limited to, the following: wearing proper safety and work apparel, using personal protective equipment, using well maintained tools and equipment, maintaining familiarity and compliance with safety standards, adhering to reporting systems, and observing facility access procedures.

Employees can contribute to the safety of all by:

- Complying with federal, state, and local regulations
- Encouraging safety and security practices among peers
- Adhering to safety procedures & policies
- Reporting violations of safe practices
- Reporting accidents in a timely manner to Management
- Reporting crimes and suspicious situations
- Being aware of potentially violent situations and treating them conscientiously

In the event of a police or fire emergency, employees shall call "911" immediately.

In the case of a robbery, employees should cooperate with the robbery suspect and at no time, do anything that would put themselves or others in harm's way. Employees should be observant and be prepared to give as much information to police as possible. Employees should attempt to note the subjects' appearance, height, weight, hair and eye color, style and color of clothing and any other information that will assist the police in their investigation. Employees should never refuse to hand over money to a robbery suspect.

In the event of a burglary, employees shall immediately notify the police and FDL Marine Management. Employees must refrain from touching anything as to disturb or taint any evidence.

In the case of a Burglary or Robbery (once the threat is over), employees are to immediately "lock down" the area to prevent exit or entry into the scene, dial "911" and then contact FDL Marine Management.

In the case of fire, staff should always remember the following acronym: "RACE"

- Rescue those in immediate danger
- Activate the fire alarm system
- Confine the area
- Evacuate the area and/or Extinguish the fire if feasible

Employees are responsible for insuring that all FDL Marine equipment is secured at all times and not left subject to theft. Employees shall insure that all doors and windows are closed and locked in any area that is unattended.



### ***Sexual Harassment***

Sexual harassment is unacceptable conduct which will not be tolerated. All employees of FDL Marine share responsibility for avoiding, discouraging, or reporting any form of sexual harassment. Sexual harassment is defined as; any unwelcome sexual advance, requests for sexual favors, or other verbal or physical conduct of a sexual nature, or verbal or physical conduct directed at an individual or individuals, regardless of gender and motivated by animus (strong dislike or animosity) based on gender when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct is used as the basis for decisions affecting that individual with regard to employment (raises, job, work assignments, discipline, etc.); or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

Any employee, who believes that sexual harassment has or is occurring, shall report the harassment immediately. FDL Marine shall conduct an investigation and evaluate the situation for appropriate action(s).

### ***Smoke Free Workplace***

With FDL Marines commitments to health, protection of the health environment of all employees, customers and guests is a major concern. Therefore, and in compliance with local and state laws, FDL Marine does not permit smoking within any of its buildings, in or around main entrances or exits of its facilities, or in any company owned or operated vehicles. Employees are permitted to smoke in designated areas only. Smoking within view of or in front of our customers or the general public is prohibited.

### ***Solicitation***

Solicitation or distribution of literature by employees for non sanctioned company events is strictly prohibited. The use of company directories or work dedicated systems, such as electronic mail, voice mail, facsimile systems, and bulletin boards, for the purposes of solicitation or distribution of literature for non sanctioned company events is also prohibited. Solicitation or distribution of literature by non employees, on or through company property is also prohibited.

## **Section II - Employment**

Employment guidelines are an important part of the employer/employee relationship. Both employees and candidates for employment should have a good understanding of the employment opportunities available and the employment requirements expected at FDL Marine. Numerous federal, state, and local laws govern many of the systems established in the employment process. In addition, FDL Marine has added some reasonable steps to ensure that the workforce is comprised of qualified, talented, and diverse employees who are willing to work in a mutually supportive manner.

### ***Alcohol and Controlled Substances Testing***

Pursuant to local, state & federal law, FDL Marine will conduct testing for alcohol and controlled substances on candidates and current employees for positions requiring a Commercial Drivers License (CDL). Candidates will be asked to submit to testing only after an offer of employment has been made. An offer of employment, however, is conditioned on the candidate testing negative for controlled substances.

Employees in positions requiring a CDL or who will operate any boat handling equipment will be asked to submit to testing for alcohol and controlled substances. Random testing for alcohol and controlled substances may be performed throughout employment. Employees who refuse to undergo testing or test positive may be subject to corrective action up to and including termination.

Any employee involved in any type of accident and/or incident where Management has a reasonable suspicion that the employee may be under the influence of a controlled substance and/or alcohol that refuse to undergo testing or test positive may, be subject to corrective action up to and including termination. A certified lab will conduct testing for alcohol and controlled substances.

#### ***Cell Phone Use***

Employees may bring and keep with them, their personal cell phone while at work. However, employees shall limit their use to emergencies only. In any case, such personal cell phone usage shall at no time interfere with business or the employee's normal work assignment(s) and/or duties.

#### ***Criminal Background Check***

A criminal background check will usually be conducted before an offer of employment is extended. Additional criminal background checks may be performed throughout employment. If an employee is convicted of a crime while employed, the employee is required to discuss this with their supervisor. Continued employment is dependent on the nature of the conviction as it relates to the employees responsibilities.

#### ***Driver's License***

Driver's License/Record checks will be made on candidates applying for positions which entail business travel and/or access to any FDL Marine owned and/or operated vehicles. Additional Driver's License/Record checks may be performed throughout employment. Employees whose positions require driving company vehicles are required to maintain an unrestricted, valid Ohio Drivers License and insurance coverage and/or insurability, as long as they are in the position necessitating this requirement. Employees must immediately report any violations, changes or restrictions on their Driver's License or changes in ones insurability to FDL Marine Management. FDL Marine does comply with its insurer's request to conduct periodic risk Management audits such as a review of employee driving records, and employees who are found to be negligent may be subject to corrective action or reassignment.

#### ***Employee Records***

Employees are responsible for notifying Management in a timely manner of any changes in personal status that changes or changes to contact information. Relevant changes in status include: name change, change in marital status, change in beneficiary, change in tax withholdings, a change in address, change in emergency contact, change in dependents and change in employment status.

Employees have the right to access and inspect their personnel file, upon request during normal business hours, Monday through Friday (except Holidays). They also have the right to submit a document to the file if they wish to correct inaccurate information or express disagreement with information on file.

#### ***Employment Status***

Employment status defines the employee's work schedule as: full-time, part-time, seasonal or temporary.

Full time: The regularly scheduled work week is a minimum of 32 hours per week for an indefinite period of time, presumably 12 months or more.

Part Time: The regularly scheduled work week is usually less than 32 hours per week for an indefinite period of time, presumably 12 months or more.

Temporary & Seasonal: The position is considered as limited duration to fill a defined short-term need, usually less than 12 months.

An employee may request a change in employment status from full-time to part-time or vice versa. The employee normally makes the request to address a personal need. If an employee elects to change his/her employment status, there will typically be no change in compensation other than the adjustment for the new work hours, assuming that the employee is performing the same job.

Certain guidelines define when and if an employee has time off for a holiday and whether that time off is compensated. The guidelines for time off are:

Active employees have the time off for the observed holiday, unless otherwise scheduled. Exempt staff that works on an observed holiday may be eligible for the same amount of time off in the preceding or following two weeks.

Part-Time, Temporary and Seasonal employees not scheduled to work will have the time off without pay. If Part-Time, Temporary or Seasonal employees are required to work, they will receive straight time pay for the hours worked.

#### ***Probationary Period***

Newly hired employees will work through a probationary period for the first 3 months. Midway and at the end of the probationary period, FDL Marine Management will conduct progress evaluations as to the employee's performance. At any point in time during the probationary period, FDL Marine Management has the authority to terminate employment for unsatisfactory performance. If the decision is to discontinue employment, the employee may elect to resign prior to any termination action. FDL Marine reserves the right to extend ones probationary period for a period of 30 days

#### ***Pay Calculation***

Hours worked will be calculated to the nearest quarter hour.

#### ***Pay Days***

The normal pay day for each employee is: Friday - every two weeks. Paychecks will normally be made available after 1:00 p.m. on the pay day. Paychecks will only be released to the actual employee unless a signed release by the employee is on file and specifically specifies the name and address of that individual. Signature of receipt may be required by all employees. In the case of authorized third party pick-up, signature of receipt shall be required.

#### ***Payroll***

FDL Marine payroll department is responsible for all payroll related items. In instances where wages are paid to an employee as a result of an error by FDL Marine payroll department, a schedule for repayment by the employee shall be worked out with the payroll department.

#### ***Payroll Withholdings***

FDL Marine will automatically deduct from the gross pay any withholdings required for federal, state, and local taxes as well as mandated deductions and any employee elected payroll deductions.



### ***Professional Licenses***

Candidates will be asked to furnish proof of current professional or state licenses such as accounting, or certified technician if the license is essential to the position for which the candidate is being considered.

### ***Re-Employment***

Former employees are eligible to be reemployed if they left company employment as employees in good standing. All former employees will be given the same opportunities and will need to comply with the same requirements as other applicants.

### ***Special Employment Circumstances***

FDL Marine will consider employment circumstances that allow the employee to balance work and personal commitments.

### ***Termination of Employment***

FDL Marine recognizes two types of termination: voluntary and involuntary.

Voluntary terminations include: resignation, retirement, failure to report to work for two consecutive days without notice, failure to return from leave within the time allowed by the leave of absence policy, declination of a job offer while on inactive status, and completion of written notification of term of employment.

Involuntary terminations include: layoff, termination for cause, death, and the end of the inactive status period.

An employee who wants to leave in good standing shall give at least two weeks' notice for a voluntary termination.

Employees who are terminating employment will be notified in writing of any benefit enrollment and conversion options.

### ***Work Breaks***

All employees who work an eight hour day will normally be granted an unpaid meal period of not less than thirty (30) minutes and not more than sixty (60) minutes near the midpoint of each shift. Such meal periods shall be scheduled at Management's discretion. Any employee who is required to remain in an on-duty status with no scheduled meal period shall receive compensation for the time worked at their straight time regular rate except when the employee is in an overtime status. A paid rest period (break) of not more than ten (10) minutes shall be granted to each employee for every four (4) hours of regularly scheduled work performed except during an unusual situation or emergency created beyond the control of Management. Such breaks shall be a time detached from lunch periods, the beginning and end of shifts and shall be scheduled at the discretion of Management.

### ***Work Week***

The "work week" refers to the period beginning 12:01 a.m. Sunday and ending midnight of the following Saturday. In order to be efficient and service oriented, Management will determine the hours of operation of all departments and/or divisions, as well as the work schedule for all hourly and salaried employees.

## **Section III - Employee Development**

FDL Marine achieves its goal of excellence through the performance of its employees. Therefore, every effort is made to communicate with employees about their performance on a regular basis. These policies are provided to set the stage for regular and appreciative communications, as well as to identify opportunities for employees to pursue their own development. The policies are based on the sound premise that employees will develop and grow from positive and specific feedback with regard to their performance. Performance that is not productive cannot be corrected without constructive comments and counseling for improvement. Further, employees whose behaviors are unacceptable, although rare and unexpected, deserve communication regarding the behaviors which the company will not accept.

***Employee Recognition***

The Management of FDL Marine seeks to recognize outstanding performance of all employees.

***First Aid/CPR***

Employees should be trained in basic first aid and CPR. FDL Marine will advise employees of any such training on a regular basis.

***Performance Management***

The Performance Management review is designed to achieve the following goals:

- To set objectives so that expectations are clear
- To review the objectives mid-year for updates, assistance, and recognition
- To reinforce positive work habits and ethics

All employees may expect an annual performance review of their past years performance. The annual performance year refers to the predetermined review period which may be the employees' anniversary year, or another designated period as determined. An employee may participate in the performance review by sharing ideas for improvement and reviewing and signing the performance outline form.

***Positive Corrective Action***

FDL Marine intends to give employees reasonable opportunity to improve their performance whenever productivity, quality, efficiency, or behavior is below an acceptable level. When performance falls below an acceptable level, corrective action may be imposed, including: verbal warning, written warning, suspension, or termination.

The focus of this progressive procedure is to promote employee job success by identifying the unacceptable performance and the cause(s) of the unacceptable performance, and agreeing on method(s) for improving employee performance to an acceptable level. In determining which type of corrective action is appropriate, the seriousness of the infraction (i.e. unacceptable behavior, attendance related issues, or misconduct), the past performance record and the circumstances surrounding the matter will be taken into consideration. Since the corrective action is intended to be action oriented, corrective action of verbal warning, written warning, or suspension will usually include scheduled review dates to monitor the employees' progress toward acceptable performance. This progressive procedure does not preclude the company from terminating an employee at any time, without any previous corrective action, if circumstances warrant. The decision to use or not to use any one of the corrective actions is solely within the discretion of the company. Nothing in this policy is intended to modify the "at will" nature of employment, which means that the company may terminate the employment relationship at any time.

Positive Corrective Action options include but are not limited to:

- Verbal warning to clarify expectations of acceptable performance, development of an action plan for improvement, and advising of consequences if the performance problem is not corrected.
- Written Warning which states that performance or conduct is unacceptable, development of an action plan for improvement, and a written warning of termination that states that continuation of any unacceptable performance for the same or different reason may result in termination.
- Suspension: Time off without pay as part of a written warning of termination or for situations requiring time for the company to conduct an investigation into an identified performance problem.



- Discharge: Termination of employment with or without notice.

**Note:** Corrective action is not always a continuous process and can be imposed at any step. FDL Marine Management may use one or more corrective actions at their discretion.

Although there is no way to identify every possible type of unacceptable performance or misconduct that may result in corrective action, the following situations provide examples of events that may result in corrective action, up to and including termination. This is a non-exclusive list of performance issues that may result in corrective action. The company may impose corrective action for other unacceptable performance or misconduct issues.

- Failure to properly or completely perform work tasks
- Excessive absenteeism
- Unreported absences
- Engaging in acts of dishonesty
- Insubordination
- Misuse of work time
- Failure to record or improper recording of time (without apparent intent to defraud)
- Theft or fraud
- Failure to comply with any company policy, procedure, rule or regulation
- Endangering life or property
- Harassment - Sexual harassment
- Disclosure or misuse of confidential information
- Misrepresentation or misuse of authority
- Violation of Computing Ethics Policy
- Reporting to or engaging in company related work while under the influence of illegal drugs or alcohol
- Possession or sale of illegal drugs
- Failure to disclose conflicts of interest
- Unprofessional or Disruptive behavior
- Failure to maintain professional relationships with coworkers, Management, customers, or any other member of the community
- Falsification of any company record
- Sleeping on the job
- Disregard of authorized work request
- Failure to stay at assigned work location

## **Section IV - Compensation & Benefits**

FDL Marine is committed in providing a compensation package that enables the company to attract and retain highly skilled and talented employees for all positions.

### ***Benefits***

FDL Marines benefit program provides those employees who are eligible: health coverage, and paid time off.

### ***Earned Time Off - ETO***

ETO is available to full-time employees only. ETO is accrued based on hours worked and years of service. ETO is accrued at a rate usually pre-determined at the time of hire and can only be used for paid time off when available. ETO is typically used for vacations and may be used for emergency/sick or personal days. ETO may be used in whole or half day increments. Employees use of ETO for reasons other than sickness, shall have the prior approval of FDL Marine Management, and shall be requested in advance (usually not less than two-weeks) using the prescribed forms



for such requests. ETO will never be unreasonably denied. However, approval of ETO shall be determined by operational needs and may be denied if the operational needs of the company would otherwise not be met. Accrued ETO will not carry over after twelve months. If an employee terminates, any unused ETO will be paid. In the event of an employee's death, unused ETO will be paid to the employee's estate. ETO accrual is usually based on the amount of hours worked within each pay period and will be noted within the employees pay check/statement.

#### ***Jury Duty***

FDL Marine encourages employees to honor their civil responsibilities. Therefore, FDL Marine will make necessary arrangements that allow all employees the ability to serve as such.

#### ***Leaves of Absence***

The Family and Medical Leave Act of 1993 (FMLA) may provide up to 12 weeks of unpaid, job protected leave to Aeligible@ employees for certain family and medical reasons. To be Aeligible@ for FMLA leave, an employee must meet the following minimum requirements: be employed at least 12 months prior to the commencement of the leave and have worked at least 1,250 hours during the 12-month period prior to the leave.

The annual maximum leave time for personal medical leave for serious medical condition of the employee is 12 weeks within a 12-month period, unless the employee is granted additional non-FMLA medical leave (see below). The annual maximum leave time is 12 weeks within a 12-month period when the employee requests a leave for parenting or a serious health condition of a family member. The maximum time allowed may be affected by other leaves taken within the previous 12 months. Employees are responsible for providing the proper documentation required for all intermittent leave requests of any duration and for personal or family medical leave requests of more than 5 consecutive working days for the same serious health condition.

Employees who do not meet the requirements for a leave under FMLA may still request a leave of absence when they or a family member have a serious health condition. Such leave is granted at the discretion of FDL Marine Management. If the request is denied and the employee decides not to report to work, employment ends as a voluntary termination effective the last day worked by the employee. The maximum annual request is limited to 12 weeks within a 12-month period.

#### ***Military Leave***

Any annual commitment to active duty or a call to active duty constitutes a military leave. During the military leave, eligible employees will be compensated for the first two weeks of active duty. The employees' position will be held for 12 weeks for any military leave.

#### ***Overtime Pay***

There are times when overtime will be required of nonexempt employees. Normally overtime is handled on a volunteer basis and must always be approved in advance.

Nonexempt staff who work overtime will be compensated at their base rate of pay up to 40 hours and at one and one-half times their base rate of pay for any time worked over 40 hours in a week. For purposes of calculating overtime, hours will be paid to the nearest quarter hour. Overtime will normally be paid in the pay period following the period in which the time was worked.

Exempt employees should include as part of their regular work week, additional work time to handle short-term projects and to satisfy weekly work requirements.

## **Section V - Miscellaneous Policy**

### ***Accident, Injury & Illness Reporting***

All employees are required to report any work related accident, injury or illness to FDL Marine Management immediately. Employees are responsible for completing the "BWC First Report of Injury" as completely as possible. In all cases where the employee is unable to complete the "BWC First Report of Injury" FDL Marine Management will complete the form to the best of their ability. Injury Reporting Packets are readily available at each marina office and include the appropriate forms and steps for incident reporting.

### ***Boat Operations***

Only those employees, who have been duly authorized by FDL Marine Management, may operate watercraft owned or used by FDL Marine, for work related purposes only. In the case of a watercraft owned by a FDL Marine customer, such operation shall be limited to that as necessary for testing and/or evaluation/diagnostics only. Employees born after January 1, 1982, are required by law to have completed an authorized Ohio Boating Education Class, and will not be permitted to operate any such watercraft for any reason, without such proof of completion.

### ***Clocking In & Out***

All employees are required to clock in & out daily in accordance to each facility "clocking in/out" operational procedures. Failure to clock in/out may affect your pay if not caught by our payroll department in time, and is subject to the Positive Correction Action.

### ***Complaints***

All employees are required to report and/or direct any complaints to a FDL Marine Management member immediately. Unless expressly authorized to do so, staff should never attempt to resolve any complaint, dispute or argument. Instead, employees are encouraged to either direct the complainant to the appropriate Management member for resolution, or take the necessary information from the complainant and assure them that the information will be forwarded to the appropriate individual(s) for resolution.

### ***Deterrents to Workplace Violence***

FDL Marine strives to provide an environment that is safe, secure, and free from violence or any related disruptive conduct. Employees can contribute to the safety of all by:

- Reporting any acts of violence they experience, observe, or become aware of to FDL Marine Management.
- Reporting potentially violent behavior of coworkers to FDL Marine Management immediately.
- Reporting the possession of a weapon, including devices or substances designed, intended or used to inflict harm upon persons or property, to FDL Marine Management.

### ***Equipment & Operations Thereof***

Only those employees who are authorized and have been appropriately trained to operate FDL Marine equipment may do so. If any employee has been directed to operate any piece of equipment that they have not been appropriately trained on, that employee shall inform Management immediately of such, and shall not proceed until such training has been completed. Operation of all equipment shall be in accordance with any local, state and federal law, rules or regulations specific to such operation. Employees are responsible in insuring that the appropriate safety equipment, safety mechanisms, and the like are used and/or are in place and/or readily available as may be required or needed to safely operate the equipment. Employees are prohibited in operating any equipment that is not consistent with the safe operation of the equipment or the intended use of the equipment.



### ***Gossip***

Employees are prohibited in participating in any gossip of another, including but not limited to; any co-worker, Management, customer, vendor, and/or visitor. All incidents of gossip shall be reported to FDL Marine Management immediately and any employees found to be involved in such behavior, shall be subject to corrective action, including but not limited to immediate termination.

### ***Grievance***

There are two situations for which any employee may file a grievance:

1. Perceived misapplication of stated Policies and Procedures to the employees' situation or to his/her involuntary termination.
2. Perceived violation of the companies policy of nondiscrimination and that the employee has been subjected to discrimination based on race, color, religion, sex, national origin, age, sexual orientation, disability or veteran status.

The following are excluded from filing a grievance: Executive staff, temporaries, employees who have been laid off. Employees still in their orientation period cannot file a grievance unless the claim alleges a violation of the Affirmative Action and Equal Employment Opportunity Policy Employees who have been notified of their termination and who adversely affect the company (i.e., exhibit disruptive, threatening behavior etc) may be precluded from filing a grievance regarding their involuntary termination.

The employee is responsible for filing the grievance with FDL Marine Management in a timely manner.

### ***Identification Cards***

All employees of which have been issued employee identification cards, shall carry the issued ID card with them at all times while engaged in company business or activities, and shall produce said card upon request.

### ***Key Control***

Employees who are issued keys and/or Key Cards are expected to keep them in a secure area. Keys may not be copied, loaned, or otherwise misused by employees entrusted with possession. Keys must be returned to FDL Marine prior to the last day of employment.

### ***Material Safety Data Sheets (MSDS)***

Material Safety Data Books with Material Safety Data Sheets are clearly marked as such and contain important information regarding hazardous materials or potentially hazardous materials typically on-hand at FDL Marine. Employees are required to familiarize themselves with the location of this book, as well as the information contained within.

### ***Operational Procedure Manual***

The Operational Procedure Manual maintains specific operating procedures that dictate how certain procedures shall be completed and/or carried out. In addition some procedures may include certain rules and regulations regarding any given topic. Employees shall completely familiarize themselves with this manual in its entirety and may review it at any time. This manual is available for review at all locations.

### ***Pass-On Book/Log***

FDL Marine may utilize a daily "Pass-On" book/log for general employee communications. Each employee will be in-serviced on the functions and appropriate entries of the Pass-On book/log.

### ***References***

Most employees prefer that all employment records are confidential. As a result FDL Marine will handle reference requests of former employees with the following information: dates of employment and job title at the time of termination. A former employee may sign a written release authorizing the requestor to obtain additional information.

The information that will be released with written authorization includes: 1) confirmation of a quoted salary figure, 2) reason for termination as stated on the termination form, and 3) performance criteria if documented on the most recent Performance Management Outline. No general or unsolicited information will be provided.

#### ***Trade Secrets***

Employees are prohibited from disclosing any trade secrets, including any operational policy and/or procedure without the written authorization of FDL Marine Management.

#### ***Unauthorized Use***

Employees that have not been authorized to use company equipment, supplies shall at no time use or gain any control of such items without said authorization from Management.

#### ***Vehicles***

Use of any FDL marine owned and/or operated motorized vehicle by any employee must be authorized and is limited to work related activities only. Personal use is strictly prohibited. Only those employees who have a current and valid Ohio Driver's license and who have been appropriately in-serviced/trained may operate a motorized vehicle. Employees shall always follow and observe all local, state and federal motorized vehicle laws, rules & regulations, when operating any motorized vehicle owned by FDL Marine. The use of seat belts is required at all times.

#### ***Verification of Employment***

Present and former employees often need verification of employment to obtain credit, financing, and other services. FDL Marine cooperates with all requests, but at the same time will protect the privacy of the employee's records. For oral requests the information released will be limited to: dates of employment, job status, and job title. No forecast of future employment nor performance related information will be provided in response to an oral or written request. FDL Marine will cooperate with all requests for information from any legitimate social service, investigative/law enforcement agency, and/or court ordered subpoenas.

#### ***Vendor Relationships***

Employees are required to maintain a good and viable relationship with all FDL Marine vendors at all times. Incidents of conflict shall be reported to FDL Marine Management immediately.

#### ***VIP/Visitors***

VIP's are visitors that include; any political figure, celebrity, news or media reporter, executives, etc. Employees are required to immediately notify FDL Marine Management of the presence of any VIP. Employees shall refrain making any statements or providing any information to any VIP unless duly authorized to do so. Questions from VIP's should be directed to FDL Marine Management at all times.

#### ***Work Rules***

FDL Marine will provide upon request, to any employee, a copy of this manual. This manual and any copy thereof, is the property of FDL Marine and shall be returned upon termination of employment. Employees are responsible for understanding the entire contents of this manual and are required to seek clarification from FDL Marine Management should any item not be clearly understood.