



LANDSCAPING & CONSTRUCTION, INC.

Hastings, MN

651-437-2305

The Professionals Since 1981

EMPLOYEE HANDBOOK

INTRODUCTION

This Employee Handbook ("Handbook") is designed to provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. This handbook applies to all exempt and non-exempt employees. It is your responsibility to read, understand, and comply with all provisions of this handbook. It describes many of your responsibilities as an employee and outlines the programs developed by Precision Landscaping & Construction Inc. ("Precision Landscaping") to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

THIS HANDBOOK IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY, AND IS NOT INTENDED TO CREATE AN EMPLOYMENT CONTRACT, OR ANY EXPRESS COVENANT OF GOOD FAITH AND FAIR DEALING. FOR EMPLOYEES NOT COVERED BY A COLLECTIVE BARGAINING AGREEMENT, PRECISION LANDSCAPING AND ITS EMPLOYEES HAVE AN EMPLOYMENT RELATIONSHIP THAT IS KNOWN AS "EMPLOYMENT AT-WILL". THIS MEANS THAT YOU ARE NOT REQUIRED TO WORK FOR PRECISION LANDSCAPING FOR ANY SET PERIOD OF TIME, AND THAT PRECISION LANDSCAPING IS NOT REQUIRED TO EMPLOY YOU FOR ANY SET PERIOD OF TIME. THIS HANDBOOK DOES NOT MODIFY THE EMPLOYMENT AT-WILL RELATIONSHIP.

The policies and procedures described in this Handbook are implemented at the discretion of Precision Landscaping, and may be changed or amended at any time in its sole discretion. No officer, employee, or agent of Precision Landscaping is authorized to waive, modify, or add to any of the provisions in this handbook, with the exception of a Precision Landscaping Officer, who only may do so in a personally signed, written document. Any decisions by Precision Landscaping concerning the interpretation or application of these policies and procedures will be final and binding upon all employees. The policies and procedures set forth in this Manual revoke and replace all previous inconsistent policies, procedures and guidelines.

At all times, Precision Landscaping reserves the right to determine the appropriate sanction for violation of the policies, procedures and guidelines described in this Handbook, up to and including termination of employment.

I. Welcome Message

Interoffice Memo

To: All New Precision Landscaping Associates
From: Scottie Zuzek, Josh Fox, & Joby Nolan
Subject: WELCOME TO PRECISION LANDSCAPING & CONSTRUCTION

Dear Employee,

Welcome to Precision Landscaping & Construction, Inc. We are excited to have you as part of our company.

Precision Landscaping is:

“A family of professionals building relationships through first rate workmanship”.

We are committed to quality work and superior customer service in all aspects of our business. Our organization is a family of co-workers. We want to accomplish the most experienced high-level service and landscape creation for our customers.

“Creating Beautifully Maintaining Elegantly Since 1981”

We value our employees and encourage them to make productive suggestions. We want you to succeed at your job.

This Employee Handbook, inclusive of an acknowledgement form, sets forth the general administrative policies, goals, and benefits of Precision Landscaping and replaces and supersedes any prior manual(s). This Manual is for your use only and remains the property of Precision Landscaping and must be returned upon request. When there is a change in a policy we will update this Manual as soon as possible. Feel free to discuss with us any questions you may have about this Manual or about your employment with us.

To your success at Precision Landscaping

Sincerely,

Scottie, Josh & Joby

II. Company Operations

The success of Precision Landscaping & Construction, Inc.

Mission: To create and maintain beautiful outdoor living spaces

Vision: To provide landscape services to residents and businesses across the Midwest region while setting industry standards for quality of service

Core Values

What We Do:

Luxurious

Affordable

Never seen before

Designed to last

How We Do It:

Safety- Always be safety conscious and make safety a priority in the work environment.

Communication- Constantly communicate with one another & the customer.

Action- Be proactive in solving problems & completing work on time, every time.

Professionalism- Always act politely and use good judgment both on and off the job site.

Excellence- Go the extra mile to make sure the project is done perfectly using high standards of quality.

Core Focus

Landscape Construction; Landscape Maintenance; Snow Removal Services

- We are more than just installing a job; we make it look great using proven solutions
- We take pride in our final product from start to finish.
- We educate our client throughout the process to deliver an experience.

Our Niche

“We create unique landscape solutions to ensure your home doesn’t end at the back door ”

Our family of Landscapers creates outdoor experiences. Together our relationship with our employees and customers creates a truly unique experience that we hope to continue expanding to other homes and businesses across the region.

EQUAL OPPORTUNITY STATEMENT

Precision Landscaping is an Equal Opportunity Employer and will provide all of its associates with equal employment opportunity based on performance, ability or length of service without regard to race, creed, color, religion, sex/gender, sexual orientation, national origin, age, disability, marital status, genetic information, status as a covered veteran or any other protected class status in accordance with applicable federal, state and local laws ("Protected Class Status"). Precision Landscaping complies with applicable state and local laws governing non-discrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment including, but not limited to hiring, placement, promotion, termination, layoff, recall, transfer, and leaves of absence, compensation, and training.

Precision Landscaping expressly prohibits any form of unlawful employee harassment based on race, color, religion, gender, sexual orientation, national origin, age, disability, veteran status or any other protected class or characteristic under the law. Improper interference with the ability of Precision Landscaping's employees to perform their expected job duties as a result of unlawful harassment is never tolerated.

III. PROHIBITED HARASSMENT POLICY.

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

It is the policy of Precision Landscaping that harassment on the basis of Protected Class Status, including sexual harassment, is strictly prohibited.

Harassment of any employee by any individual because of the employee's protected class status or for any other reason will not be tolerated on the job, on the company property, or any company sponsored activities

Such harassment violates the law, creates an offensive working environment, decreases productivity, adversely affects positive working relationships, increases costs to the company and tarnishes the image of the company and everybody associated with it.

No employee of Precision Landscaping may engage in verbal, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of that person's protected status or that of the person's relatives, friends or associates, if the conduct:

1. Has the purpose or effect of unreasonably interfering with the person's work performance; or
2. Otherwise adversely affects that person's employment opportunities.

The following are examples of prohibited harassment. Please note that these are not the only examples. If you have a question about whether conduct is permissible under this

policy, you should discuss it with the officer/owner designated as head of Human Resources ("HR Head").

1. Epithets, slurs or negative stereotypes based upon protected status;
2. Intimidating or hostile acts based upon protected status;
3. Written or graphic material that denigrates or shows hostility or aversion to persons of a protected status and that is posted, displayed circulated on Precision Landscaping property.

One form of prohibited harassment is sexual harassment. Sexual harassment is defined as:

1. Making unwelcome sexual advances or requests for sexual favors or other verbal or physical conduct of a sexual nature a condition of an employee's obtaining employment or continuing employment; or
2. Making submission to or rejection of such conduct the basis for employment decisions affecting an employee;
3. Creating an intimidating, hostile or offensive working environment or otherwise substantially interfering with an individual's employment by such conduct; or
4. Retaliating against an employee for complaining about such conduct.

The following are examples of sexual harassment. Please note that these are not the only examples.

1. Unwelcome sexual flirtations, propositions, and invitations to social events.
2. Offensive physical contact or physical closeness.
3. Use of words of a sexual nature describing body parts or sexual acts, telling "suggestive" jokes or stories, and conversations about sexual exploits or sexual desires.
4. Displaying in the workplace sexually suggestive objects, pictures, cartoons, or representations of any action or subject which is sexual in nature and which can be perceived as offensive.
5. Direct and indirect suggestions that an employee's job security, job assignment, conditions of employment, or opportunities for advancement depend in any way on the granting of sexual favors or relations.

If you have a question about whether conduct is permissible under this policy, you should discuss it with the HR Head.

Precision Landscaping recognizes that consensual relationships sometimes exist between employees, which are, or have the potential of becoming, sexual in nature. It is not Precision Landscaping's intent to regulate social interactions between employees or relationships entered into freely; however, **sexually harassing behaviors in any form are strictly prohibited.**

IV. AMERICANS WITH DISABILITIES ACT COMPLIANCE.

Precision Landscaping adheres to the requirements of the Americans with Disabilities Act (ADA), as amended, and Minnesota law regarding disability discrimination, and makes every effort to ensure that qualified individuals with a disability are not discriminated

against in any terms, conditions, or privileges or employment. The ADA requires employers to provide a reasonable accommodation to qualified individuals with known, actual disabilities, unless the accommodation would cause an undue hardship to the employer.

An exhaustive description of what does and does not constitute a disability is beyond the scope of this manual, but basically an individual with a disability is a person who:

- (1) Has a physical or mental impairment substantially limiting one or more major life activities; or
- (2) Has a record of such impairment; or
- (3) Is regarded as having such an impairment.

A qualified individual is a person with a disability who meets the skill, education, experience, training and other job related requirements of position, and who, with or without a reasonable accommodation, can perform the essential functions of the position. We are committed to providing a reasonable accommodation to the known physical or mental limitations of such individuals so they can perform the essential functions of a job, unless the accommodation would create an undue hardship.

If you need an accommodation under the ADA, you should immediately notify Precision Landscaping.

V. IMMIGRATION LAW COMPLIANCE.

While Precision Landscaping does not unlawfully discriminate on the basis of citizenship or national origin, Precision Landscaping only employs individuals who are legally authorized to work in the United States. Furthermore, Precision Landscaping does not continue to employ any individual whose legal right to work in the United States has been terminated. U.S. Citizenship and Immigration Services Form I-9 is used to verify your identity and employment eligibility. You must complete the employee section of Form I-9 and provide the required documentation supporting your identity and employment eligibility before you may begin working.

If you have any questions or would like more information on immigration law issues, you are encouraged to contact the HR Head. You may raise questions or complaints about immigration law compliance without fear of reprisal.

VI. EMPLOYMENT – CLASSIFICATION.

We are an “at will” employer and operate under the provision that employees have the right to resign their position at any time, with or without notice, and with or without cause. We, the employer, have similar rights to terminate the employment relationship at any time, with or without notice and with or without cause. We request that whenever possible, as a courtesy, you provide two weeks’ advance notice of your intention to quit, so that we may plan accordingly.

- **Regular Full-Time** is an employee who has no termination date and who is regularly scheduled to work (forty) 40 or more hours per week. Regular full-time employees may be either non-exempt (hourly) or exempt (salaried) employees.

- **Regular Part-Time** is an employee whose position has no termination date and who is scheduled to work (ten) 10 or more hours, but less than (forty) 40 hours per week.
- **Temporary Employee** is an employee who is hired for a certain length of time and who is paid only for their hours worked. A temporary employee will not receive any benefits or holiday or vacation pay.
- **Provisional Employee** is an employee who has not yet completed the thirty (30) day provisional period after first being hired. At-will employment remains at-will upon the completion of the provisional period.
- **Exempt Employee** is generally an employee who is an executive, professional, administrator, outside salesperson, or manager. Exempt employees are generally paid a salary, without overtime.
- **Nonexempt Employee** is an employee who does not qualify for exempt status, and is generally paid on an hourly basis, including overtime.

VII. CONFIDENTIALITY.

As a result of your employment at Precision Landscaping & Construction, Inc, you will acquire and have access to confidential information belonging to Precision Landscaping of special and unique value. This includes such matters as Precision Landscaping personnel information, suppliers, procedures, cost of merchandise, sales data, price lists, financial information, records, business plans, prospect names, business opportunities, confidential reports, customer lists and contracts, as well as any other information specific to Precision Landscaping.

As a condition of employment, you must and hereby do agree that all such information is the exclusive property of the Company, and you will not at any time disclose to anyone, except in the responsible exercise of your job, any such information whether or not it has been designated specifically as “confidential”. Signing a separate confidentiality agreement further clarifying this policy at the Company’s request is also a condition of your continued employment with Precision Landscaping. In the event of any conflict between the confidentiality policies in this employee manual and in a separate written confidentiality, proprietary information or employee loyalty agreement, the terms of any such agreement(s) shall control.

If you are ever unsure of your obligations under this policy it is your responsibility to consult with your supervisor for clarification.

VIII. KEEPING OUR RECORDS CURRENT.

It is important that the personnel records of Precision Landscaping & Construction, Inc be accurate at all times. In order to avoid problems with your benefit eligibility, tax liability, or our ability to communicate with you regarding shift changes and the like, Precision Landscaping requires that you promptly notify your supervisor or human resources representative of any change in your name, home address, telephone number, number of

dependents, or any other information pertinent to your employment with Precision Landscaping.

IX. ATTENDANCE AND PUNCTUALITY.

A. Attendance

You were hired to perform an important function at Precision Landscaping. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, your attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on your fellow employees and your supervisors. We expect excellent attendance from you. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

You are expected to be at Precision's Shop located at 2900 Millard Ave in Hastings, dressed appropriately and ready to work, by your scheduled start time if you want a ride to the job site. The official work day start time is 7:00 a.m. for nonexempt employees unless you are informed of another start time due to work related or weather issues. All employees are to show up regardless of the weather unless a Foreman calls you in advance. Your workday ends when you return to the shop from the last job site where your foreman has you scheduled.

Reporting Unscheduled Absenteeism/Tardiness

If it is necessary to be absent from work, or if you are going to be late for work, the following guidelines apply:

- You must notify your supervisor by telephone as soon as possible before the start of your scheduled shift.
- In the case of an emergency, the absence or tardy should be reported to your supervisor as soon as possible.
- If you are absent more than one day, you must call your supervisor at the start of your shift each day to report your absence and the reason. The supervisor will not assume the previous day's absence is continuing unless it is reported.
- An employee who fails to call to report an absence for two consecutive days may be considered to have voluntarily terminated their employment with the company, depending on mitigating circumstances.

Scheduled Absences

A scheduled absence is defined as an absence which meets the following conditions:

- An absence which has been reported to and approved by the supervisor at least seven days in advance.
- The absence must be of such a nature that you could not make arrangements for a time other than during working hours.
- If an absence is scheduled and approved at least seven days in advance, it will not be counted against the employee for disciplinary purposes.

Partial Day Absence

At times, an employee may miss part of a scheduled shift.

- If an employee has advance notice that they are going to be late, leave early, or miss time in the middle of their shift due to an appointment or some other reason, they must report this to their supervisor at least one day in advance for prior approval. Same-day notice may be considered an unscheduled absence and be counted against the employee for disciplinary purposes.
- An employee who feels they must leave work before their shift is scheduled to end must report to their supervisor for approval, otherwise it may be assumed they have abandoned their job.
- The absence must be of such a nature that you could not make arrangements for a time other than during working hours.

Unexcused/Unauthorized Absenteeism/Tardiness

Unexcused or unauthorized absenteeism/tardiness occurs when an employee has not provided the proper notification or documentation, and/or has not obtained the proper approval for the absence/tardy. Unexcused or unauthorized absenteeism/tardiness is immediately subject to disciplinary action, up to and including termination of employment.

Use of Accrued Vacation Time

An employee who has unscheduled time off, and has vacation hours remaining for use in the current year, will have their vacation time charged for the unscheduled or unexcused hours and the absence will be counted against them for disciplinary purposes.

Excessive Absenteeism/Tardiness

Your attendance is an important reflection of your dependability and attitude toward your work. It will be considered as criteria for promotions, in performance reviews, and in determining continued employment. Your supervisor will keep a detailed, ongoing record of your attendance. The company reserves the right to set guidelines to determine when an employee's attendance record becomes unacceptable.

The attendance policies are listed below for when an employee has followed the correct reporting procedure as described in the Reporting of Unscheduled Absences/Tardiness section. An "instance of absenteeism" refers to a period of absence. For example, an employee who is absent for two consecutive work days for one reason would be documented as one instance. Instances are tracked on a rolling calendar, with the first date commencing on the first date of unscheduled absenteeism.

B. Military Leave

As required by the Uniformed Services Employment and Reemployment Rights Act of 1994 ("USERRA"), Precision Landscaping's applicants and employees who apply or perform military service, whether on a voluntary or involuntary basis, will not be denied initial employment, reemployment, retention in employment, promotion or any benefit of employment on the basis of the performance of military service.

Eligible military service includes performance of a duty on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for

training, inactive duty training, full-time National Guard duty, and a period of time for which the employee is absent to determine fitness for duty.

A military leave of absence will be granted to employees, except those occupying temporary positions, to attend scheduled drills or training or if called to active duty with the U.S. military service. This includes uniformed service in the Armed Forces, the Coast Guard, the Army National Guard or Air National Guard. To qualify to return to work after a military absence, you must have:

- Given Precision Landscaping written or verbal notice in advance of service, unless the giving of notice is precluded by military necessity
- A cumulative length of absence, including any previous military absence while employed by Precision Landscaping, which does not exceed five years; and
- Applied for reemployment with Precision Landscaping according to these guidelines:
- If the length of period of service is less than 31 days: Reapply no later than the next regular work day after completion of service and time to travel from place of service to residence, plus eight hours
- If the length of period of service is more than 30 days, but less than 181 days: Reapply no later than fourteen days after completion of service
- If the length of period of service is more than 180 days: Reapply no later than ninety days after completion of service

Upon reemployment, you will be placed in the position you would have attained were it not for the break in employment, unless you are not qualified to perform that job and cannot be trained through reasonable efforts of Precision Landscaping. If not so qualified, you will be placed in the position you held when the military leave commenced, or a position of like seniority, status and pay. If a disability incurred during or aggravated by military service prevents you from performing the job you would have held were it not for the break in service, despite Precision Landscaping's efforts at reasonable accommodation of the disability, you will be placed in a position of like seniority, status and pay, if one is available. If no such position is available, you will be placed in a job which is the nearest approximation of like seniority, status and pay.

C. Funeral Leave

Full-time employees who have completed 60 days of employment may be excused from work to attend the funeral of an immediate family member. You will be provided with up to 16 hours away from your job with pay. Immediate family member is defined as your spouse, parents, parents-in-law, child, step-child, grandparent, and siblings. The 16 hours of funeral leave pay will not count as hours worked for the purpose of calculating overtime. Any vacation hours taken will not count as hours worked for the purpose of calculating overtime.

You should always inform your supervisor of the necessity of taking funeral leave before you leave, if possible.

Should the death of additional relatives or friends occur which are not included above, time off from your job to attend the funeral will be granted without pay upon request. You may, however, be required to use vacation time.

D. Jury Duty

An employee summoned for jury duty will be granted a leave of absence according to state law. When you are not required to be present or available for courtroom and other legal proceedings, you are expected to report for work if the time is within your normal working hours. Jury Duty leave is unpaid by Precision Landscaping.

E. Medical Leave

To be eligible for medical leave, employees must be employed at Precision Landscaping for one year.

Employees who are unable to work due to medical disability or disability due to maternity may be eligible for unpaid medical leave if the disability is expected to last longer than five continuous working days. Advance notice and medical certification may be required prior to a medical leave being granted. When possible, Precision Landscaping requires a minimum of 30 days' notice as to when you may need the leave.

Precision Landscaping will make reasonable efforts to honor necessary medical leave, but cannot guarantee that every leave request will be granted. Precision Landscaping reserves the right to determine whether any particular leave request will or will not be granted based on business needs, staffing levels and other relevant factors.

The terms and conditions of a medical leave are at the discretion of the company. Employees will be notified of the terms and conditions of the leave at the time if their leave request is approved.

Medical leave is unpaid. However, Precision Landscaping requires that employees use all available vacation credit during any medical leave.

Before returning to work after a medical absence, employees must submit a statement from his or her physician or care provider stating that he or she is able to return to work and resume all essential job responsibilities (with reasonable accommodation if necessary). If the employee does not return from leave, after the leave time granted has been exhausted, it will be assumed that the employee has voluntarily terminated.

F. School Conference and Activities Leave

Minnesota Statute 181.9412 states that an employer must grant an employee leave of up to a total of 16 hours per year (12-month period) to attend school conferences or school-related activities related to the employee's child, provided the conferences or school-related activities cannot be scheduled during non-work hours.

This leave is unpaid; employees may choose to use any available vacation time.

G. Other Types of Leave

The company will comply with all the requirements of the Minnesota Law for granting any other form of leave for which an employee may be legally entitled including but not limited to the following:

- A. Time off to vote
- B. Time off for services as an election judge
- C. Crime victim and witness leave
- D. Leave to attend major party conventions and committees
- E. Time off for service as an elected official

If you have any questions regarding your eligibility for these or other requested leaves, discuss those questions with your supervisor.

X. DRESS CODE.

As an employee of Precision Landscaping you must maintain a clean, un-torn, neat appearance, when reasonably possible. Your attire should be consistent with the type of work you are performing and with safety considerations. Precision attire consists of plain gray, tan, white or red T-shirts or our company or vendors logos T-shirts only. You may be sent home and considered absent or assigned a T-shirt, which is your responsibility to return clean the next day, or disciplinary action will be applied.

Each employee at the beginning of the year or at the time of employment has the opportunity to purchase a Precision T-shirt for \$10 or a sweatshirt for \$30 during the appropriate seasons. If ball caps are worn they need to be only a Precision or vendor logo cap. All jeans and shorts are to be tan, khaki or blue in color and in good condition and belted at waist high. Ripped or torn jeans or cut off shorts are unacceptable. Precision Landscaping does not provide rain gear. We do work through most rain. With weather permitting, you may want to bring rain gear with you. Everyone while working must have a shirt on at all times. Being shirtless will not be allowed. Employees who do not remain with the company for 90 days or more may be charged for their uniforms.

Management, sales personnel, supervisors and those employees who come in contact with the public, are expected to dress in accepted business tradition that reflects the image Precision Landscaping seeks to project. Good personal grooming and hygiene are also essential and should contribute to a professional appearance. These employees will be provided collared shirts and other appropriate attire as appropriate.

If you have further questions about your expected attire, please discuss these questions with your foreman or HR Head.

XI. HOLIDAYS & WEEKENDS.

Precision Landscaping does not work on Memorial Day, July 4th and Labor Day. Due to inclement weather, Saturdays will be a mandatory workday, if necessary. During winter months workdays can be determined by inclement weather and may require work to be completed both Saturday and Sunday as well as holidays.

XII. TRANSPORTATION.

All employees must provide their own transportation to the Shop to start work or for any other necessary duties. Foremen's will not pick up employees on the way to the Shop or to job sites. A valid driver's license is mandatory for all employees who will drive any company vehicles. Foremen will usually drive the Precision Landscaping vehicle with all employees to the job site, and back to the shop at days end. If instructed by the Foreman, an employee may be required to drive to the job site. If you drive to the job site your workday will end when you leave the job site.

XIII. WORK HOURS AND OVERTIME PAY.

Nonexempt (Hourly) Employees:

The normal workday is eight (8) hours, and forty (40) hours represents a normal work week, commencing 12:01 AM Monday and ending on midnight on the following Sunday. While you are generally expected to work the number of hours stated above, Precision Landscaping does not guarantee that you will actually work that many hours in any given day or week.

For nonexempt employees, your Foreman must approve overtime work in advance. Overtime is considered a condition of employment, and refusal to accept it when reasonable notice has been given is cause for discipline, up to and including termination. At the supervisor's discretion, an employee's work schedule may be adjusted during a workweek to avoid overtime.

In accordance with federal and state wage and hour laws, you will receive time and one-half regular pay for time worked exceeding forty (40) hours in any given workweek.

When computing total hours worked in a work week for purposes of calculating overtime pay, only hours actually worked are counted. Time off from work, such as holidays, and jury duty is not counted as hours worked even if you are paid for such time off.

Exempt (Salaried) Employees:

The normal workday is eight (8) hours, and forty (40) hours generally represents a normal workweek, commencing 12:01 AM Monday and ending on midnight on the following Sunday. While you are generally expected to work the number of hours stated above, Precision Landscaping does not guarantee that you will actually be able to perform all of your work duties in this amount of time. You are expected to put in the amount of time over 40 hours per week necessary to complete your job duties and occasionally, substantial extra work may be required. If you are overburdened with work and unable to complete your assignments with a moderate amount of additional work each week, you should immediately notify your supervisor. Exempt employees are not paid overtime for hours worked above 40 hours per week. As of December 1, 2016 exempt employees will be entitled to overtime if they earn less than \$914 per week. Some amount of expected work over 40 hours per week is built into your compensation package as a salaried employee.

XIV. PAY PERIOD AND HOURLY TIME SHEET.

Pay period is from Friday to Friday, every two weeks. Paychecks will be dispersed the following Friday between 2:00-5:00 pm at the Shop. However, it is Precision Landscaping's prerogative to change the pay date at any point. Appropriate time and notice will be given.

You must check in and check out on each working day with your Foreman who will keep and complete a time sheet with your hours. Vacation days, sick days, holidays, and absences such as jury duty, funeral leave, or military training, should be specifically noted on the time sheets for days on which they occur.

Time sheets must be completed accurately and be legible. Foreman's signature on the time sheet is required to certify its accuracy as a record of the time actually worked. Falsifying a time sheet can lead to disciplinary action, up to and including termination.

Employees as passengers in Precision vehicles will be paid one-way drive time to job sites, Vehicle drivers will be paid both ways. If you need to leave a job site prior to the end of the work day, it is expected that you provide your own transportation and no drive time will be paid.

XV. MEAL PERIOD AND BREAKS.

Nonexempt (hourly) employees are allowed a daily 30-minute unpaid meal break. Meal breaks will generally be taken on a staggered schedule so that your absence from work does not create a problem with the day-to-day operations of the Company. Generally, you will be relieved of all active responsibilities and restrictions during your lunch period and you will not be compensated for that time.

Nonexempt employees will have two fifteen (15) minute rest periods each workday. The Company will schedule your rest periods to accommodate operating requirements. This time is counted and paid as time worked.

Exempt (salaried) employees may take a meal break and a reasonable amount of other breaks at their discretion, which does not create a problem with the day-to-day operations of the Company.

All food and beverages will be brought to work each day by the employee. Precision Landscaping does not provide lunches for any workers. Work vehicles will not stop at gas stations or other fast food restaurants at anytime and should not leave a jobsite to do so.

XVI. SAFETY AND ACCIDENT RULES.

Safety is priority at Precision Landscaping . Precision Landscaping strives to provide a clean, hazard-free, and safe environment.

As an employee, you are expected to take part in maintaining this environment. You should 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 well as the safety and/or emergency phone numbers.

All employees are NOT to operate any power equipment unless they have been properly trained by the job Foreman. The use of safety glasses and ear protection is required at all times when operating power equipment. No loose or torn clothing will be allowed, as it may become a safety hazard when operating power equipment. Any problems with Company-provided safety equipment should be reported to your immediate supervisor. If it is not safe to work for any reason, report the problem to your supervisor immediately.

When working with electrical wires and components you should be under a Foreman's supervision. If the need should arise, a first aid kit will be located under the seat of all company vehicles. There shall be a fire extinguisher in all company vehicles.

XVII. REPORTING INJURIES.

All work related injuries MUST BE REPORTED to your immediate Foreman as soon as it occurs. A First Report of Injury form needs to be completed in full by the Foreman and returned to 2900 Millard Ave, Hastings, MN 55033 the same day. Filing this form is not an admission of liability. Foremen must report a claim to our insurer whenever anyone believes that work-related injury or illness that requires medical care or lost time from work has occurred. Failure to file within the appropriate time will result in discipline.

All medical bills, which occur due to a workplace injury, are sent to the Worker's Compensation insurance company. The Worker's Compensation insurance company has access to all medical files, which are result of the injury.

XVIII. SMOKING.

Our goal is to provide a healthy, pleasant and safe work environment for all employees. Precision Landscaping prohibits any form of tobacco use on company premises, at job sites or in company vehicles. Employees who violate this policy will be subject to disciplinary action, up to and including termination.

XIX. SUBSTANCE ABUSE POLICY.

While on Precision Landscaping premises and/or conducting business-related activities at any location, employees may not use, possess, distribute, sell, offer, purchase, transfer, or be under the influence of alcohol, illegal drugs or other controlled substances. This policy also prohibits reporting for work and working anywhere on behalf of Precision Landscaping, or using a Precision Landscaping vehicle, machine or equipment, under the influence of alcohol or illegal drugs. This policy applies to all official or unofficial break and meal periods, and all other times during the working day in which an employee has reported for work, including unpaid meal breaks. The only exception to this policy is the lawful use of alcohol, off-duty and after normal working hours, at an establishment licensed to sell such products. However, employees may not wear their Precision Landscaping uniform or identification badge while engaging in such use.

For purposes of this policy, "Illegal drugs" means inhalants and controlled substances, and includes medications, which contain a controlled substance, which are used for a purpose, in an amount, or by a person for which they were not prescribed or intended. The legal use of prescribed drugs is permitted on the job only if it does not impair a team member's

ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. Employees must notify their supervisor or the Vice President of the use of prescribed drugs or other substances that may affect their ability to perform their job.

Employees must report any violations or suspected violations of this policy to Precision Landscaping management.

Violation of this policy may result in discipline up to and including discharge.

PROCEDURE:

A. PERSONS SUBJECT TO THE POLICY.

All employees of Precision Landscaping and all persons conditionally offered employment with Precision Landscaping are subject to testing.

B. WHEN TESTING MAY BE REQUIRED.

1. **Applicants.** All candidates who have received conditional offers of employment will be required to undergo a drug test.

2. **Employees.** An employee may be tested in the following circumstances:

a. Reasonable Suspicion. An employee may be requested or required to undergo a drug and/or alcohol test if there is a reasonable suspicion that he or she:

(1) Is under the influence of alcohol and/or illegal drugs; or

(For purposes of this subparagraph (a)(1) of this section, a reasonable suspicion that the individual is under the influence may be based on a variety of factors, including, but not limited to: smelling of alcohol or marijuana, displaying physical signs or symptoms customarily associated with alcohol or drug use (e.g. glassy eyes, slurred speech), displaying violent or unusually confrontational or argumentative behavior, showing a major personality change, disregarding safe operating procedures of equipment/machines or placing another person's safety in jeopardy by intentional or unintentional actions.)

(2) Has violated the policy statement above; or

(3) Has caused a work-related accident or has operated or helped operate machinery,

equipment, or vehicles involved in a work-related accident; or

- (4) Has caused himself or herself or another employee to sustain a personal injury. In the event of such an injury, testing will be required prior to or concurrent with medical treatment when feasible.

b. Treatment Program Testing. An employee who has been referred for chemical dependency evaluation or treatment by Precision Landscaping who is participating in a chemical dependency program under an employee benefit plan, may be requested or required to undergo a drug and/or alcohol test without prior notice at any time during the evaluation and treatment period, and for up to two years following completion of any prescribed chemical dependency treatment program.

Important Note: Physician prescribed use of drugs or controlled substances can adversely affect workplace safety and job performance. Therefore, if you are taking any such medication, you should inform the prescribing doctor of the nature of your job and ask whether the medication poses a threat to your health or safety on the job, or to that of others. If your doctor believes that such a threat exists, you must inform your supervisor accordingly.

C. RIGHT TO REFUSE TO BE TESTED.

An applicant or employee has a right to refuse to be tested. However, any applicant who refuses to submit to a test, who refuses to comply with any requirement imposed by this policy, or who engages in behavior which prevents meaningful completion of testing (including tampering with the sample or testing materials, or behavior intended to provide a dilute sample), will have the offer of employment revoked. Any employee engaging in such actions will be subject to disciplinary action up to and including discharge.

D. CONSEQUENCES OF A NEGATIVE TEST.

If the result of the initial drug and alcohol screening is negative, or if the results of the confirmatory test or confirmatory retest (these tests are explained below) are negative, the applicant or employee is considered to have satisfactorily completed the drug and/or alcohol test.

E. CONSEQUENCES OF A POSITIVE TEST.

1. **Initial Screening.** If the initial result on the drug and alcohol screening is positive, the sample, which was tested, will automatically be subject to a confirmatory test. No employee will be discharged, disciplined, discriminated against, or requested or required to undergo rehabilitation solely on the basis of a positive result on an initial screening.

2. **Confirmatory Test - Applicants.** If the confirmatory test result is also positive, the offer of employment will be revoked.
3. **Confirmatory Test - Employees.** If the confirmatory test result is also positive, the employee may be subject to disciplinary action, up to and including discharge, subject to the following:

- a. First Positive Test Result. An employee will not be discharged for a positive result on a confirmatory test for alcohol and/or illegal drugs which was the first such result on a test requested or required by Precision Landscaping unless he or she has been given the opportunity to participate in a drug or alcohol counseling or rehabilitation program and either has refused to participate or has failed to successfully complete the counseling program.

Employees required to attend a counseling or rehabilitation program will be required to inform the company of the type of program to which they have been referred. If the counseling or rehabilitation program permits immediate return to work, the employee will be returned to work on the next regularly scheduled shift.

If the employee is referred to an outpatient treatment program, then the employee must agree to attend and must provide the company with certification from the treatment provider regarding the expected length of treatment. The employee will be returned to work only after the treatment provider certifies the employee's ability to return. If the employee is certified to return before completion of the outpatient program, the employee will be asked to provide weekly certification from the treatment provider of continued participation in the outpatient program. If the employee fails or refuses to provide such certification, the company will not return the employee to work prior to completion of the program. In all cases, the employee must present evidence of satisfactory completion of the treatment program in order to maintain employment.

If the evaluation results in a referral to inpatient treatment, the employee must agree to attend and will not be returned to work until the company receives evidence of satisfactory completion of the program.

- b. Subsequent Positive Test Result. An employee who receives a positive result on a confirmatory test for alcohol and/or illegal drugs requested or required by the Precision Landscaping and who has previously received a positive result on a confirmatory test for alcohol and/or illegal drugs requested or required by Precision Landscaping may be

disciplined up to and including discharge.

Laws regarding licensure of chemical-dependency counselors may provide for additional consequences in the case of a positive result.

F. SUSPENSIONS.

Employees may be suspended from work without pay pending the receipt of testing results if Precision Landscaping believes that doing so is consistent with a safe workplace. Any employee who has been suspended, and who receives a negative result on the drug and alcohol test, will be reinstated with full back pay.

G. APPEAL RIGHTS.

Any applicant or employee who tests positive on a confirmatory test will have three (3) working days following the day on which the employee is notified of the positive confirmatory test result to disclose drugs/medications that they have taken and/or other information to explain the test result. In addition, an applicant or employee who tests positive on a confirmatory test will have five (5) working days following the day on which he or she is notified of the confirmatory test result to advise Precision Landscaping in writing of his or her desire to request a confirmatory retest of the original sample at the individual's own expense.

H. HOW TESTS ARE CONDUCTED.

1. **Authorized Laboratory.** A laboratory authorized under Minnesota law to perform alcohol and drug tests will conduct testing. All testing will be based upon urine and/or blood samples, or any other technology deemed appropriate by the testing laboratory.
2. **Sample Collection.** Employees requested or required to take a drug and/or alcohol test may be escorted by a manager, supervisor or other appointed individual to the designated sample collection site. If the designated sample collection site is not open at the time that testing is requested, a sample may be collected either by asking that the designated sample collection site send a representative to the company premises or by visiting the emergency room of a local hospital.
3. **Employee Notification Form.** An applicant or employee who is to be tested for illegal drugs and/or alcohol will be given a copy of this drug and alcohol testing policy and an opportunity to read it before testing occurs. The individual will be asked to sign a form acknowledging receipt of this opportunity.
4. **Use of Additional Information.** Any medical information provided by an applicant or employee after a confirmed positive test result will be used solely for the purpose of evaluating the reliability of the drug and alcohol test administered to the employee. Nobody will be discharged, disciplined, discriminated against, or requested or required to undergo rehabilitation based upon medical history information provided in response

to a confirmed positive test result unless the individual had a duty to provide that information before, during or after the time they were hired.

I. COMMUNICATION OF TEST RESULTS.

Within three (3) working days of receiving any test result from a testing laboratory, Precision Landscaping, (or its designated medical review officer) will notify the applicant or employee, in writing, of the test results and the individual's right to a copy of the test result report. If the confirmatory test is positive, Precision Landscaping (or its designated medical review officer) will also notify the individual of his or her additional rights as described in this policy, including the Appeal rights discussed above.

J. CONFIDENTIALITY.

Test result reports and other information acquired in the testing process are private and confidential information except where permitted or required by law.

XX. RESOLVING CONFLICTS/FORMAL COMPLAINT PROCESS.

The formal complaint process gives all employees a means to voice concerns problems, and or complaints. Any formal complaint brought to the attention of the Vice President through this process will be investigated thoroughly and resolved.

XXI. USE OF COMPANY PROPERTY AND EQUIPMENT.

Precision Landscaping will provide you with the necessary equipment to do your job. None of this equipment should be used for personal use, nor should any equipment be removed from Precision Landscaping's work premises unless approved by your supervisor.

Employees with Precision Landscaping's company vehicles must live within (five) 5 miles of the Shop and drive only for work purposes unless approved by the Vice President and gas is paid at the employee's expense. Any accidents or damage to company vehicles would be subject for review and disciplinary actions if necessary.

All employees are responsible for the tools assigned to their crew. You are expected to be responsible with any company property making sure it is not lost, damaged or left at the job site. If an employee loses or damages any company property, it is your responsibility to report this to your foreman.

Any items or packages taken out of the work place are subject to inspection at any time. Likewise, any personal desk, filing cabinet, locker or storage space provided to you is also subject to inspection at any time.

Personal telephone calls, text messages, and Internet surfing are not to be made or sent using Precision Landscaping's phones or on company time, unless authorized by your supervisor. Any authorized personal calls should be kept to a minimum and made at a time that does not interfere with your or your co-workers' job performance.

Precision Landscaping premises, telephones, and email are not to be used for employees or others to engage in the practice of soliciting collections or donations; selling raffles, goods, or services; operating betting pools; or solicitations of any kind.

As a member of our team it is expected that you do not perform landscape duties for other businesses or residents after hours.

Precision Landscaping may take disciplinary action against employees whose conduct violates this or other company policies and practices.

XXII. VEHICLE INSPECTION.

It is the employee's responsibility for the general maintenance of the vehicle, which you drive or ride in. It should remain clean at all times, inspected daily with a weekly checklist completed and returned to the Foreman or office. It is expected and your responsibility that all keys are to be returned to the shop each night. Failure to do so will result in disciplinary action.

XXIII. REIMBURSEMENTS/GASOLINE.

Precision Landscaping will reimburse for gasoline or other miscellaneous items necessary for operations. A valid receipt and company authorization is necessary for reimbursement. It is your responsibility to keep track of such items and keep gasoline in the company vehicle.

XXIV. CUSTOMER RELATIONS.

Direct all customer contact to the job Foreman or if unavailable at the time, to contact the office for further assistance. Employees should immediately communicate all customer concerns to their job foreman.

XXV. LANGUAGE BEHAVIOR.

Precision Landscaping under no circumstances allows swearing or cursing on the job sites. The offending employee will be subject to disciplinary action up to and including termination.

XXVI. USE OF COMPANY COMPUTERS, E-MAIL, AND INTERNET.

Employee use of company computers, printers, peripherals, and electronic equipment is for job related or approved activities only. Inappropriate use of company computers, which may be defined from time to time at the discretion of Precision Landscaping, may subject you to discipline, up to and including termination. You have no expectation of privacy when using company computers.

Inappropriate use includes, but is not limited, to the following:

- A. Use of Precision Landscaping computers to send or receive messages, pictures, or computer files which are illegal, pornographic, sexist, racist, harassing, or

discriminatory. If you receive such material, you should notify your supervisor immediately.

- B. Loading software that is not approved in advance by management.
- C. Making illegal copies of licensed software.
- D. Using software that would provide unauthorized access to Precision Landscaping's computers or would disrupt our equipment in any way.
- E. Using Precision Landscaping's computers, printers, or email for personal and/or non-company related use, including shopping, blogging, and social media, unless authorized by your immediate supervisor.
- F. Sending or posting Precision Landscaping confidential information, whether anonymously or otherwise, by email, text, instant message, or posing to any Web site, blog, or social media site.

Employees may be disciplined or terminated for use of the Internet, email, text messages, instate messaging, blog posts, Web sites, or social networking Web sites where such use does not involve company computers, systems, or property. You should not assume any inappropriate email or text message sent or posted to a Web site, blog, or social networking Web site is private; such communications may eventually come to Precision Landscaping's attention and result in discipline up to and including termination.

Any message or file created or sent using any Precision Landscaping computer or other electronic devise is the property of Precision Landscaping. You should have no expectation of privacy or confidentiality in any message or file that is created, stored, or sent using the computers or other communication equipment belonging to Precision Landscaping, and Precision Landscaping reserves the unilateral right to review, monitor, access, audit, intercept, copy, print, read, disclose, modify, retrieve, and delete any work you do on a Precision Landscaping computer, including email.

If provided, your Company email account is strictly for business communication only and is not for personal use. Except as authorized by your supervisor in the course of your work duties, you are not authorized to access the computer(s), email account(s) or files of any other Precision Landscaping employee.

If provided, Internet access is likewise strictly for business purposes only and is not for personal use. Precision Landscaping reserves the unilateral right to review, monitor, access, and audit, an employee's use of the Internet at any time, with or without notice, and with or without an employee's permission. You should have no expectation of privacy or confidentiality with respect to any use of the Internet at work.

You must take reasonable precautions against receiving or spreading computer viruses, as well as against wasting computer resources, including computer time, email server, and Internet access bandwidth.

Any Precision account information such as user names or passwords are to remain confidential, they should not be shared with other employees or people working outside of the company. Additionally, Precision account information should not be used on personal devices unless you have been permitted to do so by your supervisor.

XXVII. SOCIAL MEDIA

Use of social media and other personal networking sites, including but not limited to Facebook and Twitter, which has the effect of reflecting negatively on Precision Landscaping, our customers, employees, consultants, business partners and related entities is prohibited, regardless of the owner of the electronic equipment in use. In particular as to such sites, the following is specifically prohibited:

- Discussion and display of information related to Precision Landscaping business and employee matters of all types.
- Disparagement of Precision Landscaping, its employees, vendors, customers and all other business associates.
- Use of Precision Landscaping 's copyrighted images and other materials.
- Discussion and display of any information at all in violation of any Precision Landscaping policy.

XXVIII. USE OF CELLULAR TELEPHONES.

Employee use of company cellular telephones is for job-related or approved activities only. Inappropriate use of company cellular telephones, which may be defined from time to time at the discretion of Precision Landscaping, may subject you to discipline, up to and including termination.

Likewise, use of your personal cellular telephone during work hours or on company premises is subject to restrictions and may subject you to discipline, up to and including termination.

These policies apply to any communications device that make, sends, or receives phone calls, emails, text messages, instant messages, photographs, and/or graphics, or has the capacity to browse the Internet.

Cellular telephones and similar electronic communication devices are a distraction while working at our company. Telephone calls during regular work hours may interfere with employee efficiency and safety while performing your job. And they also can be a distraction to other employees around you. Employees are therefore directed to make personal calls during approved breaks and meal periods. During regular work hours all cellular phones a similar electronic communication devices must be turned off.

Exceptions:

- This policy does not apply to cellular telephones supplied by our company that are used exclusively for company business. However, when using the telephone for company business, please be mindful of other employees around you and attempt to minimize distractions for them and interference with their job duties.
- This policy does not apply when there is an emergency that requires that you be accessible by phone, such as a medical emergency. If you are in doubt as to what constitutes an emergency for this purpose, please consult your supervisor before turning on your cellular telephone at work.

XXIX. EVALUATIONS/ADVANCEMENT.

Precision Landscaping Foremen's will generally do individual evaluations on an annual basis. A job-rating summary will be completed consisting of your performance in all aspects of your job. All employees are considered for advancement based on work performance throughout the year. This will impact your viability in the advancement positions for you at Precision Landscaping.

XXX. PERSONNEL FILES

You have a right to review your personnel file once every six (6) months while you are employed with Precision Landscaping. If you choose to exercise this right, you must submit a written request to your supervisor.

Within seven (7) working days of receiving your request, Precision Landscaping will make available for your review either your original file or an accurate copy of your file. You will have access to your file during normal operating hours either at your job site or at a nearby location. Precision Landscaping may require that this review take place in the presence of a manager.

After you have had an opportunity to review your file, you may make a written request for a copy of the record. If you make such a request, Precision Landscaping will provide you a copy of your file at no charge.

After your separation from employment you may review your file once annually for as long as Precision Landscaping maintains the record. If you make a good faith, written request to review your file after your employment has ended, Precision Landscaping will provide a copy of your file at no cost.

If, after reviewing your file you dispute specific information, Precision Landscaping may agree to remove or revise the disputed information. If no such agreement is reached, you are entitled to submit a written statement of no more than five (5) pages explaining your position. This position statement will be included in your file, along with the disputed information, as long as Precision Landscaping maintains the record.

The rights of Minnesota employees are protected by the Minnesota Personnel Records Review and Access Statutes 181.960 to 181.965. The full text of this statute, which sets forth all of your available rights and remedies, is available for review by Minnesota employees.

XXXI. OPEN DOOR POLICY

Precision Landscaping has an open door policy. You are encouraged to contact your supervisor or any one of the Board members at Precision Landscaping with any questions or concerns about your employment.

XXXII. DISMISSAL.

In accordance with the at-will status of all Precision Landscaping employees, Precision Landscaping may discharge or release any employee at any time. For instance, employees may be dismissed from Precision Landscaping when they fail to meet standards of employee conduct, or for other reasons. Precision Landscaping is not required to provide an employee with notice of performance or other problems before terminating him or her.

XXXIII. DISCIPLINARY POLICY / ACTION.

Rules and regulations are necessary for the efficient operation of the company. The company will take appropriate disciplinary actions when employees are found to have violated company policies, procedures, work rules, or otherwise conduct themselves in an unprofessional or inappropriate manner.

Appropriate disciplinary action may involve progressive disciplinary measures; or may result in immediate release/discharge. Nothing in this policy changes the at-will nature of the employment relationship.

The company's policies, procedures, and work rules outlined in this employee manual are not all-inclusive and may be changed periodically at the company's sole discretion.

Disciplinary Action generally is as follows:

- 1st Offense: Verbal warning that will be noted in your file by your Foreman.
- 2nd Offense: Written warning that you and the Foreman must sign.
- 3rd Offense: Written warning and will go under review with the Foreman. Discipline action can result in suspension without pay and/or job termination.

Precision reserves the right to skip steps and/or move straight to termination at company's sole discretion.

XXXIV. SOLICITATION

In order to avoid disruption at work, you are not permitted to engage in solicitation for any purpose during your working time or the working time of the person being solicited. Working time means time that employees are expected to be performing their job. Likewise, you are not permitted to distribute any material during your working time or in working areas. Literature, notices, or other material of any kind may not be posted or distributed in the working areas of any employees at any time. Such material may be left in the break room for employees to look at during a break, so long as the material does not create excessive litter. Persons who are not Precision Landscaping employees will not be permitted to come upon Precision Landscaping premises for the purposes of making solicitations of any kind to employees, or posting or distributing literature, notices, messages or materials of any kind.

XXXV. ACKNOWLEDGEMENT

I acknowledge that I have received, read, and understand the policies outlined in the Precision Landscaping manual #331673.2 Ver 9-12-12. I agree to conform to the rules and regulations of Precision Landscaping as described in the manual, which is intended as a guide to human resource policies and procedures. I understand that the company has the right to change the manual without notice. It is understood that future changes in policies and procedures will supersede or eliminate those found in this manual.

I also understand and agree that the information contained in these materials does not constitute an employment contract between Precision Landscaping and me, and that either I or Precision Landscaping may terminate our employment relationship at any time, with or without cause. I understand that no manager or representative of Precision Landscaping, other than the CEO or vice president of the company, has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing.

ACKNOWLEDGED AND ACCEPTED:

Signature _____ **Date:** _____

Print Name _____

Witness _____ **Date:** _____

Print Name _____

Employees Copy

XXXVI. ACKNOWLEDGEMENT

I acknowledge that I have received, read, and understand the policies outlined in the Precision Landscaping manual #331673.2 Ver 9-12-12. I agree to conform to the rules and regulations of Precision Landscaping as described in the manual, which is intended as a guide to human resource policies and procedures. I understand that the company has the right to change the manual without notice. It is understood that future changes in policies and procedures will supersede or eliminate those found in this manual.

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ACKNOWLEDGED AND ACCEPTED:

Signature _____ **Date:** _____

Print Name _____

Witness _____ **Date:** _____

Print Name _____

Precision's Copy