FS Transportation, llc
New Carlisle, IN

EMPLOYEE HANDBOOK

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1. INTRODUCTION

A. To Our Team Members

Welcome to FS Transportation!

As part of our team, you will be encouraged to participate in our company's growth and success. We encourage you to provide ideas on how we can better serve our customers' needs and help our company grow and remain successful. In return, we hope you reach your own personal goals and objectives while growing with the company. It is our intent to provide an environment that allows you to grow and become successful along with our company, while enhancing our core values of safety, sustainability, and service.

We are committed to provide the highest level of reliable and quality service. Our customers expect their product to be delivered on time, without damage, and by a dedicated and professional logistics services company.

Again, welcome aboard, and if there is anything we can do to assist you, please do not hesitate to ask.

B. Employment Relationship

All employment relationships with the Company are "at will" arrangements and either party is free to terminate the relationship at any time for any reason. The "at will" arrangement may not be varied except in a written document signed by an officer.

No representations made or information given by the Company shall be a basis for variation of the at will relationship. The Company does not make express or implied promises of "permanent" employment, and any "contracts" of employment are invalid unless in writing and signed by an officer.

C. Equal Employment Opportunity Commitments

FS Transportation is an equal opportunity employer. FS Transportation recruits, hires, promotes, retains, and bases all actions on qualifications and performance, without regard to race, color, religion, age, sex (including sexual orientation and gender identity), disability, national origin, or any other characteristic protected by applicable law.

It is the policy of FS Transportation to comply with all laws concerning the employment of persons with disabilities. It is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.
The Americans with Disabilities Act (ADA) requires employers to provide reasonable accommodations to qualified individuals with disabilities unless an accommodation would be an undue hardship on the company. In compliance with the ADA and applicable state law, FS Transportation will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of their job. Through an interactive process in which the company and employee discuss possible accommodations, the company will determine whether it can accommodate an employee with a disability without undue hardship. To begin this interactive process, an employee should contact a member of the company's Human Resources department.

To help FS Transportation provide effective accommodations as well as leave that may be required by law or available under company policy, the company requires each employee to notify the company promptly of any medical restrictions that may affect his or her ability to perform the essential functions his or her job. This includes restrictions related to injuries, illnesses, or other medical conditions that occur on or off the job. If an employee has such a condition but has not yet received restrictions from a healthcare professional, the company may require the employee to undergo a Return-to-Work evaluation up to and including a Fit-For-Duty examination before returning to work.
All employees are required to comply with safety policies and standards as a condition of continued employment. Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee's continued employment.

D. Safety and Health Statement

The company is firmly committed to maintaining a safe and healthy environment for every employee and will ensure that all measures are taken to make our offices, and roadways equally as safe. As an operator of the Department of Transportation, we have the ultimate responsibility to perform our work and driving skills in a professional manner. It is our duty and moral responsibility to operate the equipment in a manner that reflects a genuine concern for the safety of the motoring public.

To accomplish this goal, the responsibility for loss prevention is directed to all team members.

Management will be responsible for administering a total loss prevention effort to ensure that loss prevention standards are met throughout the company on a daily basis.

The safety of our team members, customers, and the general public is of great importance and should remain a major objective in our daily decisions, as responsible management of safety issues is a critical factor to our overall success. It is the policy of the company to conduct all operations safely and effectively to the best of our ability.

All managers, supervisors, and employees must ensure that safety and health standards, policies, and procedures receive prime consideration, and are incorporated into all job assignments. Effective Safety and Health management has a significant impact on productivity as well as customer satisfaction and retention.

Every person in the entire company is responsible for performing his or her job in a safe and effective manner. Failure to perform or conduct assignments safely results in injuries, accidents, and overall unsatisfactory job performance at all levels of the company. We believe that every job can and must be done safely. Working safely is a condition of employment and/or contract.

Through the involvement and participation of every team member, and contract partners, during the implementation and enforcement of our Safety and Health policies, we will:

- Prevent personal injuries and property damage
- Meet and exceed local, state, and federal requirements
- Reduce costs associated with injuries and accidents
- Improve worker productivity and morale
- Promote a socially responsible image to our customers and public

2. EXPECTATIONS

A. Driver Qualification and Hiring Policy

I. Qualification Policy

a. The purpose of this policy is to promote safety on the nation's highways, not only for the general driving public, but also for the motor carrier and employees.

b. To select and hire qualified employees, subject to these requirements, include areas that have been found to be of primary significance in providing safe conscious employees for the motor carrier industry.

II. Employee Qualifications

No prospective driver applicant shall be employed by the company, if the applicant based upon review of an employment application, criminal background and motor vehicle record(s) has:

a. Driving history that indicates a lack of regard for motor vehicle laws, regulations, or safe driving practices. This review is not limited to a set length of time and must include all history that is reflected on the motor vehicle record and criminal background. Even if the prospective employee's history meets the criteria listed below, entire history must still be considered when making final hiring decisions.
b. Is less than 23 years of age.
c. Has less than 18 months of verifiable experience driving a class A (tractor/trailer) commercial vehicle; with driving experience during one or more years having been the primary job function of the applicant.
d. Convicted of a DWI/DUI involving either alcohol or drugs within the past seven years while operating any motor vehicle.
e. Tested positive for drugs or alcohol in the workplace.
f. Refused to be tested for alcohol or drugs, including refusal to allow legitimate law enforcement personnel or employers to test.
g. Convicted of two or more traffic violations within any 12-month period within the past three years, as reflected on motor vehicle record and/or application, including safety belt violations.
h. Convicted of three or more traffic violations within the past three years, as reflected on motor vehicle record and/or application, including safety belt violations.

i. Any one of the following traffic violations within the past three years:

   i. Reckless or careless driving.

   ii. Following too closely/assured clear distance.

   iii. Leaving or fleeing the scene of an accident.

j. More than one of the following traffic violations within the past three years, or a combination of more than one violation:

   i. Speeding of 15 mph or more of the posted speed limit (while driving a commercial vehicle).

   ii. Improper or erratic traffic lane changes (while driving a commercial vehicle).

k. License suspended or revoked within the past three years for any single traffic violation or combination of violations, including administrative convictions for violations such as, but not limited to, failure to renew insurance, failure to appear, or failure to pay child support. License status shall be reviewed annually.

l. Any accident within the past three years that also resulted in a conviction for a traffic violation that does not apply to non-moving administrative violation such as, but not limited to, expired tag, equipment defect, or no proof of insurance.

m. Motor vehicle record (MVR) reflects three or more accidents within the past five years, regardless of fault.

n. Failure to meet any of the minimum requirements outlined by the Federal Motor Carrier Safety Regulations, Part 391 (qualifications of drivers).

B. Performance Standards

I. The performance standard of uniform rules and regulations outlined in this handbook governs the actions and status of the employee for the company.

II. The company believes communication is essential to all employees concerning their job performance. This approach keeps everyone advised on how well each employee is performing their job responsibilities that was agreed on at the time of employment. Just as all other employees of this company are periodically evaluated, you are evaluated on your job performance based upon all Company rules.

III. The company reserves the right to revise the rules and regulations listed. Any revisions will be published and made available to employees through the FST Safety app or in print upon request.

IV. Overall performance will be evaluated based on the below minimum criteria, as applicable to your position:

a. Attendance

b. On time reliability

c. Safety record

d. Log violations

e. Cargo Claims

f. Fuel mileage

g. No chargeable accidents

h. Appearance

i. Customer relations

j. Clean equipment

k. On time calls to your supervisor or dispatcher

3. COMPANY RULES

The company expects all employees to conduct themselves in a positive manner to promote the best interests of our customers, company, fellow employees and the general public. Our company will enforce these expectations fairly and equally with regard to all employees.

The purpose of this policy is to document employee infractions regarding corrective action. This will enable uniform and consistent application with reason and fairness to all employees. Progressive discipline applies to a 12-month rolling calendar unless stated differently.

Employees are subject to the policy for violation as prescribed. Employee failure to comply with management's request per policy may be subject to further corrective

action, including termination. See separate document of progressive rules updated periodically.

The company rules are classified into four categories depending on the degree of seriousness: Type A, Type B, Type C and Type D. The following corrective action will generally be taken when the company rules are violated during a consecutive twelve-month period. However, depending on the situation, management may, in its sole discretion, determine that the conduct requires more or less severe disciplinary action up to and including termination.

Type A

1st Violation – Verbal Warning

2nd Violation – Written Warning

3rd Violation – 3 Day Suspension/Final Warning

4th Violation – Termination

Type B

1st Violation – Written Warning

2nd Violation – 3 Day Suspension

3rd Violation – 5 Day Suspension/Final Warning

4th Violation – Termination

Type C

1st Violation – 3 Day Suspension

2nd Violation – 5 Day Suspension/Final Warning

3rd Violation – Termination

Type D

1st Violation – Termination

A. Company Rules – Type A

I. Failing to keep neat appearance or clean equipment.

II. Failure to stay compliant with safety awareness programs (including FS Transportation app).

III. Failure to perform pre-trip and/or post trip.

B. Company Rules – Type B

I. Being responsible for a moving violation, which is defined as a traffic law violated by a vehicle in motion.

II. Critical log violations or any hours of service violations.

III. Failure to utilize Personal Protective Equipment or use other safety equipment when required.

IV. Refusal of Dispatch assignment, other than due to inclement weather (see separate policy).

V. Failure to report injuries during shift that injury occurred.

VI. Failure to comply with smoking policy.

VII. Failure to comply with cell phone policy.

C. Company Rules – Type C

I. Being responsible for a minor preventable accident, which is defined as any accident when damage is less than $25,000 of total property damage has incurred. One or more vehicles are towed due to disabling damage (damage preventing the vehicle from leaving the scene of the collision under its own power).

II. Failure to report a minor vehicular accident.

III. Record of involvement in more than one (1) at fault accident resulting in a conviction for a traffic violation while operating a motor vehicle during a thirty-six (36) month period.

IV. Failure to comply with any rules published by the Federal Motor Carrier Safety Regulations.

V. An employee involved in a spillage, contamination, or mixture, which could have been prevented by exercising proper care and diligence on the part of the employee.

VI. Leaving the vehicle unattended during loading or unloading. An employee must remain in attendance during the process of loading or unloading his/her vehicle when the loading or unloading operation is under the control of the employee. Being in attendance means being immediately adjacent to the equipment during the loading or unloading operation.

VII. Involvement in an accident resulting from negligent and/or careless operation of company equipment.

VIII. Unsatisfactory or sub-standard performance of duties or continuous failure to comply with company safety and operating policies and procedures.

IX. Tailgating (following too close).

X. Any action which is not in the best interest of or is detrimental to the company.

XI. Willful and deliberate violation of company safety rules and/or Federal Motor Carrier Safety Regulations.

XII. Tampering with company equipment including covering driver facing or forward facing camera, or performing or permitting unauthorized repairs to company equipment.

XIII. Abuse of company equipment.

XIV. Threats or actual physical violence while on duty, employed or contracted with the company.

XV. Unlawful harassment, disorderly conduct on company property or while on duty for the company.

XVI. Failure or refusal to carry out orders or instructions.

XVII. Unauthorized use of, removal of, theft of, or damage to the property of the company, customer, or an employee.

XVIII. False, fraudulent, malicious statements, or actions involving a customer, another employee, contractor, or other relations with the company.

D. Company Rules – Type D

I. Being responsible for a major preventable accident. An accident is defined as "major" when one or more of the following events occur as a result of the collision;

a. A fatality occurs.

b. Immediate emergency medical treatment is provided to one or more individuals, away from the scene of the collision.

c. Over $25,000 total property damage is incurred.

If management determines a driver was responsible for a major preventable collision, the driver will be terminated immediately.

II. Failure to report a major preventable accident.

III. Speeding violation 15 MPH over the posted speed limit is an automatic suspension pending investigation.

IV. Speeding violation 6 MPH over the posted speed limit in a construction zone is an automatic suspension pending investigation.

V. Having an unauthorized passenger in your vehicle. Passengers shall not be permitted in company or contractor equipment except under the following conditions;

a. A company qualified employee, contract employee, authorized students and supervisory personnel while on duty or by special permission by company official.

b. Motorist or drivers of commercial vehicles in distress on the highway may be transported per Federal Motor Carrier Safety Regulations, Part 392.

c. Unless specifically authorized in writing to do so by the company under whose authority the motor vehicle is being operated, no employee shall transport any person or permit any person to be transported on any motor vehicle other than a passenger bus.

d. Employee shall refuse to carry any passenger who is under the influence of any intoxicants or drugs.

VI. Falsification of application in a manner which would have resulted in disqualification had the application been truthfully and accurately submitted. False statements, misleading actions, or omission of information provided to or requested by the company.

VII. Falsification of daily driving records.

VIII. Alcohol – the possession, use of, selling, buying, or being under the influence of alcoholic beverages or intoxicants while on duty or during a tour of duty, or while on or in company property, is not allowed while employed/contracted by the company. A determination of such use, possession or entry will result in corrective action. Refusal for “reasonable cause testing” shall establish a presumption of guilt.

IX. Drugs – the possession, use of, selling, buying, having present in the body system, or being under the influence of any illegal drugs (marijuana, amphetamine, barbiturates, narcotics, etc.), on or off duty is not allowed while employed/contracted by the company. A determination of such drug use (except for taking a prescription drug under the direction of a licensed medical practitioner), possession or abuse of prescription drugs, will result in corrective action. Refusal for “reasonable cause testing” shall establish a presumption of guilt.

X. Leaving the scene of an accident that resulted in property damage, personal injury or fatality.

XI. Carrying pets as a companion in the motor vehicle.

XII. Record of citation or conviction for more than three (3) motor vehicle violations in any type of vehicle during the thirty-six (36) month period prior to the order date of the motor vehicle record.

XIII. Operating while under suspension or revocation of license.

XIV. Speed exhibition, contest or drag racing, reckless driving or careless endangerment.

XV. Criminal offense involving the use of a motor vehicle, use of a motor vehicle in the commission of a felony, reckless homicide, involuntary manslaughter, or assault with a motor vehicle.

XVI. Operating a motor vehicle without the permission of the owner.

XVII. Fleeing or eluding a police officer.

XVIII. Commission of any disqualifying offense outlined in Part 391.15 of the Federal Motor Carrier Safety Regulations (disqualification of drivers).

XIX. Conviction or bond forfeiture of serious or repeated traffic violations.

XX. Transporting firearms, dangerous weapons, or explosives or having possession of a firearm while on duty in or on company property.

XXI. Conviction of crimes committed while on duty or while on company property or in company equipment.

E. Safety & Safety Rules While at FST

Because FS Transportation is interested in your safety and well-being, it has instituted safety rules and regulations. You will be periodically updated on the safety procedures to increase your awareness of the importance of safety on the job. Each employee can prevent accidents and injuries by obeying the safety rules, remaining alert, and THINKING SAFETY at all times.

If something comes to your attention that you believe to be an unsafe act or an unsafe condition, please report it immediately to dispatch or a member of management. FS Transportation requires that employees comply with all applicable safety rules to prevent accidents to themselves, their co-workers and the public.

Violation of safety rules may be cause for disciplinary action, up to and including termination. (See FS Transportation Safety Rules) The list is not meant to be all-

inclusive. You should always exercise common sense and ask Dispatch if you are unsure about how to perform a task safely. The list of safety rules can be provided by Human Resources or your supervisor and are located on the company server.

FS Transportation requires all employees to remain compliant with all safety awareness programs as a condition of employment.

4. COMPANY POLICY

A. Workplace Harassment Policy

FS Transportation is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment.

FS Transportation has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination, and retaliation. FS Transportation will make every reasonable effort to ensure that all employees are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

I. **Definitions of Harassment:** Sexual harassment is prohibited. At times, employees have varying perceptions of what type of conduct is considered sexual harassment. For purposes of this policy, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature violate FS Transportation's sexual harassment policy. Depending on the circumstances, these behaviors may include but are not limited to: sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, written, electronic, or visual conduct of a sexual nature. Sexual harassment may involve conduct between individuals of the same or different genders.

   Harassment on the basis of any other protected characteristic is also prohibited. Under this policy, verbal or physical conduct that denigrates or

shows hostility or aversion toward an individual because of his/her race, color, religion, sex (including sexual orientation or gender identity), national origin, age, disability, or any other characteristic protected by law violates this policy. Harassing conduct includes, but is not limited to the following conduct which is based upon any protected characteristic: epithets, slurs, or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion and that is placed on walls or elsewhere on FS Transportation's premises or circulated in the workplace.

II. **Individuals and Conduct Covered:** These policies apply to all employees, whether related to conduct engaged in by fellow employees or someone not directly connected to FS Transportation (e.g., an outside vendor, consultant, or customer).

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

III. **Reporting an Incident of Harassment, Discrimination or Retaliation:** Employees who believe they are being subjected to harassment may, if they feel comfortable doing so, advise the offender that his or her behavior is offensive and request that it stop. Employees who are not comfortable doing this, or who have done this and continued to experience the offensive behavior, are encouraged to report the behavior immediately to a member of management. FS Transportation encourages reporting of all perceived incidents of discrimination, harassment, or retaliation regardless of the offender's identity or position.

Any supervisor or manager who receives a complaint of harassment or observes conduct which may constitute harassment must report the matter immediately to a member of senior management.

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

IV. **Prompt Investigation of Complaint:** Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly. Confidentiality will be maintained throughout the investigation process to the extent consistent with adequate investigation and appropriate corrective action.

V. **Resolution of Complaint:** Misconduct constituting harassment, discrimination, or retaliation will be dealt with appropriately. False and malicious complaints of harassment, discrimination, or retaliation (as opposed to complaints which, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action. Any employee who has questions or concerns about these policies should talk with a member of senior management.

B. Employee Communication

The company communicates important information to employees through a variety of resources. One of these resources is the FS Transportation App, which the company uses to provide information about safety, company policies and procedures, and other matters related to employment. Employees may download the app to their smartphones or use it on the training room computers.

C. Open Door and Problem-Solving Policy

Should an occasion ever arise when you feel that you are not receiving fair treatment regarding working conditions, or if you have any other problem, please discuss the situation with your supervisor or a member of management. We cannot help you unless we know the problem. Usually, a discussion with your supervisor, Human Resources or a member of management will clear things up. If you prefer to bring a problem to our attention in writing, instead of orally, please email it through the FS Transportation app or send it to a member of management. Our door is always open to address your concerns or problems.

D. Housekeeping

FS Transportation expects its facility and equipment to be kept clean and looking new. Good housekeeping practices are a requirement of employment. Neatness and cleanliness promote safety and enhances morale by making our facility a pleasant place to work. All employees are responsible for good housekeeping

practices. This includes all company property – parking lot, restrooms, break room, company truck, etc. Pick up rejected material at every opportunity. Keep your area clean and help other employees keep their area clean. Do not damage or deface the vehicle, building, or equipment by careless handling of equipment or by any other means. The attaching of material to walls, posts or machines without approval is prohibited.

E. Uniform/Dress Policy

To present a professional appearance to our customers and to help ensure safety, we require all employees, within designated positions, to wear the following:

I. FS Transportation uniform shirts.

II. Professional looking pants or shorts without any holes, tears or frayed edges. No cut-off shorts are allowed.

III. Sturdy leather work shoes/boots with a pronounced heel of at least ¼ inch.

F. Courtesy

Courtesy means thoughtfulness and consideration of others. Your conduct on the job reflects FS Transportation to customers, visitors, and other employees. You, as a representative of FS Transportation, are in a position to affect the Company's image. You are expected at all times to act in a professional, courteous manner to co-workers, members of management, customers, and visitors, and to refrain from conduct which reflects poorly on the Company.

G. Recording Devices

FS Transportation has video cameras installed in public areas both inside and outside of the company's facility. These devices capture video recordings for purposes of training, workplace investigations, and employee and Company security. The devices and all recordings are the exclusive property of FS Transportation. By accepting employment with the company, an employee consents to recording at all times while present on company property.

Other than these devices, the use of camera phones, tablets, or other audio or video recording-capable devices within the company may constitute an invasion of employees' personal privacy and may breach the confidentiality of FS Transportation trade secrets or other protected information. Therefore, unless otherwise allowed by law, the use of camera or other video/audio recording-capable devices on company premises is prohibited without the express prior permission of senior management and the person(s) present at the time.

H. Searches

The Company reserves the right to conduct unannounced searches for illegal substances, controlled substances, beverages containing alcohol, firearms and weapons, missing items, or any items management believes necessary to locate. Searches may be conducted of Company facilities, Company property (including, but not limited to, lockers, tool boxes, desks, file cabinets and electronic information), employee vehicles located in the facility parking lot, employees and their personal property (including, but not limited to, lunch boxes, coolers, tool boxes, purses and bags).

You are expected to cooperate in the conducting of these searches. Although you or your personal property will not be searched without consent, your consent to such a search is required as a condition of employment. Your refusal to consent will result in disciplinary action up to and including termination, even for a first refusal. Searches may be conducted at any time and are not required to be based on reasonable suspicion.

I. Workplace Violence Prevention

FS Transportation is committed to preventing workplace violence and to maintaining a safe work environment. As such, we have adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on Company premises.

All employees, including supervisors, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of FS Transportation without proper authorization except as otherwise provided by applicable law.

Conduct that threatens, intimidates, or coerces another employee, or visitor of FS Transportation at any time, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex (including sexual orientation or gender identity), race, age, religion, disability, national origin, or any other characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your supervisor or any other member of management. This includes threats by employees, as well as threats by vendors, customers or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in danger or at risk. If you see or hear a commotion or disturbance near your work area, do not try to intercede or see what is happening.

FS Transportation will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the company may suspend employees, either with or without pay, pending investigation.

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

FS Transportation encourages employees to bring their disputes or differences with other employees to the attention of their supervisor or a member of management before the situation escalates. The company is willing to assist in the resolution of employee disputes.

J. Unauthorized Personnel

Without exception, unauthorized persons are not allowed in the plant or offices. This includes employees not on duty, and family members of employees on duty. If an individual need to see an employee or deliver or pick up something from an employee, the visitor is required to report to the front office first to seek permission to meet with the employee.

K. Personal Telephone Calls

Employees are prohibited from making or receiving personal calls at the company or in company vehicles during working hours, except in case of a true emergency. Please ask your family and friends not to call during business hours except in cases of emergency. Generally, calls will be taken by dispatch, office personnel, or a supervisor and relayed to you.

L. E-mail and Electronic Communication Policy

FS Transportation has established the following policy that governs the use of computer, electronic mail and telephone communication systems in the workplace. The Company reserves the right to amend these policies. An employee's use of the Company's computer, telephone and e-mail systems constitutes the employee's agreement to abide by the Company policies governing the Company communication systems as set forth below, or as modified in the future.

IV. **Business Use** All electronic and telephone communication systems are to be used primarily for business purposes, meaning that use of such equipment and systems must be job-related. Limited, occasional, or incidental use of these systems for personal purposes is acceptable, if done in a professional manner that does not interfere with business use or impact business operations. Use of Company computers on the shop floor for anything but business use is strictly prohibited.

V. **Business Form** E-mail and voice mail messages reflect the Company image. They should be composed in a professional manner that is similar to messages sent on Company letterhead. Employees should keep in mind that electronic files are subject to discovery and may subsequently be used in litigation involving the Company or the employee. Therefore, it is expected that employee statements in electronic messages and files will reflect favorably on the Company and on the employee.

VI. **File Management** In order to keep the electronic communication systems and computer systems running efficiently, employees should delete unnecessary electronic messages stored in the system, as well as computer files that are no longer needed. Employees should also run a virus check on attachments received through e-mail before opening such files.

VII. **Company Property** In addition to the system hardware and software, all electronic files and electronic messages are the property of the Company, whether composed, received or sent by the employee. E-mail messages and other electronic files constitute business records belonging to the Company. If you leave your job with us, expect that we will erase the memory of all of our electronic storage devices that you used during your employment.

VIII. **Privacy and Passwords** Because all messages are the property of the Company, employees should not expect that messages are private. Also, employees should not expect privacy in anything they can see on their Company computer's display or that they generate or store on their Company computer. This includes personal email viewed on an internet browser through a Company computer. In addition, employees should be aware that deleted files may be retrieved and read by the Company. The Company reserves the right to retrieve, monitor, or review any messages in the Company system, and may disclose such messages for any purpose without notice to the employee and without seeking permission of the employee. Company e-mail passwords must be disclosed to the appropriate Company officer upon request.

IX. **Solicitation Prohibited** Employees may not use e-mail or voice mail systems to solicit for charitable or commercial ventures or in any way that violates the Company's no solicitation/no distribution policy. Employees may not use the systems to proselytize for religious, political, or other causes.

X. **Proprietary Information Restrictions** Receiving or downloading, or sending or uploading of proprietary information is prohibited without prior authorization. Such information includes copyrighted materials, trade secrets, proprietary financial information, or similar materials.

XI. **Anti-Harassment Policies** Company policies prohibiting sexual or other harassment are applicable to e-mail and voice mail systems. Messages that contain foul, inappropriate, or offensive language, or those containing racial or ethnic slurs, or sexual innuendo, are prohibited.

XII. **Confidentiality** Employees are expected to respect the confidentiality of messages sent to others. Employees may not access or review e-mail or voice mail messages that are not distributed to them.

XIII. **Internet Postings** Postings for the electronic bulletin boards list servers are for business use only, and not for any solicitation whatsoever or posting of personal views or opinions.

M. Mobile Devices

I. Using Mobile Devices for Company Business

Mobile devices are an important part of providing excellent, timely service to our customers. Such devices include: flash drives, CD-ROM, DVD-ROM, external hard drives, and other electronic storage devices; cell phones; smartphones such as the Apple iPhone and Samsung Galaxy; tablets such as the Apple iPad and Samsung Galaxy Tab; smart watches such as the Apple Watch; and laptop computers.

But personal safety and data security are critical, and federal, state, and local laws place responsibility on the company—and on individual employees—to keep confidential business information secure and ensure the safety of the general public. To protect all involved, the company requires employees to follow these rules when using mobile devices for Company business, and failing to comply with this policy may result in disciplinary action, up to and including the termination of employment:

a. The company's Controller must approve all mobile devices before they are used for company business. The company will maintain a log of all approved mobile devices, and no employee may conduct company business on a mobile device unless the device has received prior approval.

b. Confidential company information must not be stored in Dropbox, iCloud, or other personal cloud-based storage system.

c. At any time, the company may access company data, including confidential information, stored on personal mobile devices.

d. Employees must comply with all company policies when using mobile devices. This includes policies prohibiting harassment and discrimination in the workplace and protecting confidential information.

e. Employees must protect their mobile devices carefully. Do not leave them out of sight in a public place, in plain view in a car, or other unsecure location.

f. Report all misplaced, lost, or stolen devices immediately to Controller.

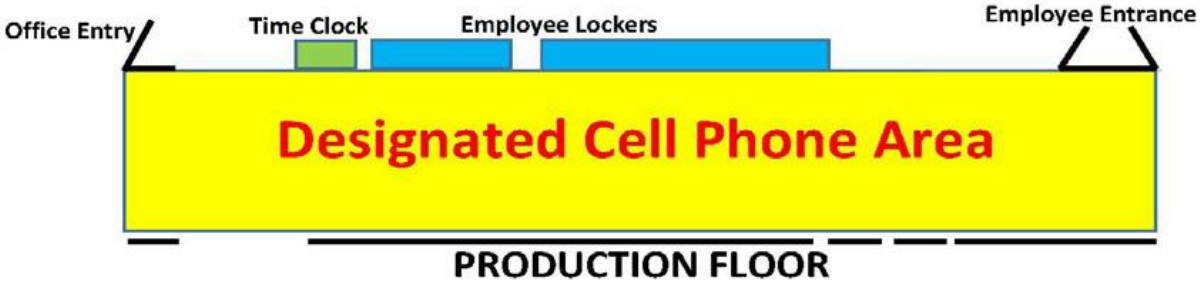
g. All mobile devices must be secured by a password and/or biometric security mechanism (e.g., Touch ID or Face ID on the iPhone). Do not disclose mobile device passwords to anyone not authorized to access company data. And, be sure the device locks after five (5) minutes of inactivity.

h. Employees must install and activate remote wiping and remote disabling functions on their mobile devices, and keep all software and operating systems up to date.

i. To ensure that company data remain secure, the company will require the employee to surrender each device to the company for the purpose of wiping the device's memory, or take other steps outlined in any Mobile Device Agreement in place between the company and the employee.

j. Employees should not expect privacy in any data stored on a mobile device owned by the company, or in company data stored on a personal mobile device.

k. Use of personal cell phones for hourly employees is only allowed while on break or during off hours. Areas for cell phone use are limited to the designated area by front employee lockers ("Safe Zone") or in an employee's personal vehicle. Use of personal cell phones for CDL employees is allowed, as permitted by local and federal laws, but only through means of Bluetooth connection through the truck or headset. Cell phone use is not allowed in the office.



II. Mobile Devices While Driving:

There are also important rules that apply to using mobile devices while driving:

a. Obey all laws governing cell phone use while driving. The company and DOT require employees to use a hands-free device.

b. Pull off the road to a safe location to place a call and possibly to handle it. For example, some calls may require employees to review documents while talking, and this should never be done while driving. Employees should also pull over in heavy traffic, poor driving conditions, or other situations where the employee feels it is prudent.

c. Never text or email while driving. Ever. It is extremely dangerous and illegal. Wait until the vehicle is stopped before typing, sending, or reading text messages or emails.

d. Keep your eyes on the road. Wait to dial a number or otherwise look at the phone when stopped, and learn to use the phone's voice command functions if available.

e. Employees who receive a traffic citation for cell phone use while driving are solely responsible for the consequences.

All non-exempt employees are required to accurately record hours worked and are entitled to overtime pay as defined under the Fair Labor Standards Act.

N. Social Media Policy

We have common-sense rules about discussing the Company, including on any form of social media. Violating these rules can lead to disciplinary action, up to and including discharge.

XXII. Any statement about the Company, Company employees, or Company customers and is vulgar, obscene, harassing, threatening, intimidating, or you know it to be false, don't say it. We also prohibit statements that reasonably may cause reputational harm to the Company, employees, or customers to the fullest extent that we are able to do so by any law that applies.

XXIII. If information is confidential, don't disclose it to anyone who is not authorized to have it.

XXIV. If the Company needs to investigate a complaint of threats, harassment, discrimination, or allegations of other misconduct that violates a Company policy, we may ask you to give us access to your social media accounts as a condition of your continued employment to the extent that we are permitted to

do so by applicable law. This means that we will not access your accounts without permission, but we may choose not to continue your employment if you decide not to allow us access.

For this policy, the Company considers non-public information about the business, activities, and facilities of the Company to be confidential. This includes, but is not limited to: marketing and sales information, including strategies and plans; research data; the sources, costs, pricing and margins of the Company's products and services; business development plans; ideas; concepts; the identity and needs of the Company's customers and potential customers; medical information; suppliers; financial data; trade secrets; and all information that the Company is required to keep confidential by its customers, suppliers, employees, and other business partners. If you are a non-supervisory employee, confidential information does not include information about the terms and conditions of your employment if shared with another non-supervisory Company employee.

O. Smoking Policy

Smoking, tobacco chewing and the use of other tobacco products, including electronic cigarettes must be done in designated areas during designated breaks. If use of tobacco products occurs outside shift hours, employees may smoke in their personal vehicle. During breaks employees must smoke in the designated area only. CDL employees are prohibited from smoking in FST equipment. CDL employees may smoke outside of their tractor during their designated break. All employees are expected to practice good housekeeping at all times. Employees who violate this policy will be subject to disciplinary action up to and including termination. Company vehicles are not considered a designated area.

P. Parking

Designated parking is provided for all employees. We ask that you observe courteous and safe driving practices in the parking areas. Employees are expected to park in designated parking spots and not in the visitor parking spaces or in the rear of the building. The parking lot is considered part of the facility. Thus, all Company policies and rules pertain to employees, whether they are in the Company building or in the parking lot.

FS Transportation is not responsible for theft or damage to vehicles while in the parking lot.

Q. Employee Entrance

All employees must enter the Five Star Sheets plant through the employee entrance at the northeast corner of the parking lot, not at the side entrances or garage doors.

R. Personal Property

The Company is not responsible for theft or damage to personal property brought onto its premises or left in company vehicles.

S. Bulletin Boards

FS Transportation's bulletin boards are for the posting of the company notices, notices required to be posted by law, and for safety information. No unauthorized material is allowed.

T. No Solicitation/No Distribution

In order to avoid unnecessary annoyances and interruptions during your work, solicitation by an employee of another employee is prohibited. Employee distribution of literature, handbills or other printed materials in work areas is prohibited at all times.

Trespassing, soliciting or distribution of literature by non-employees on Company property is prohibited at all times.

U. Confidential Information

All information regarding FS Transportation's equipment, products, customers, suppliers, management, etc., is confidential and should be treated as such. Keep this in mind if you are asked any questions by outsiders. Persistent questioners and any representatives of the media should be referred to the President.

5. FITNESS-FOR-DUTY POLICY

A. General Philosophy

The management of FS Transportation is committed to providing a work environment which ensures the well-being of all its employees, protects FS Transportation's and employees' property and prohibits any influences which might have a detrimental effect upon the orderly, safe and efficient operation of the business. Based upon these goals, FS Transportation will require its employees to report for work and perform their duties within the standards established. The intent of the following policy is to intervene with an employee who may be working in a condition that may potentially harm him/her, fellow employees or other individuals or property.

B. Application Of Policy

I. This policy applies to all employees.

II. Compliance with this policy is considered a condition of employment. If the employee refuses to comply fully with all aspects of the Fitness-for-Duty policy, the employee will be suspended without pay pending completion of an investigation. During the course of the investigation, the employee shall have the opportunity to offer an explanation for his or her behavior. The course of action will be decided by management.

C. Definitions

I. Chemical Substances: (a) any illegal substance including but not limited to narcotics, hallucinogens, cocaine, marijuana, designer drugs; (b) any controlled substance including but not limited to amphetamines and barbiturates which are used either without being prescribed by a licensed physician or in excess of the amount prescribed by a licensed physician; (c) any legal substance used in a manner in which the substance is not intended to be used (such as inhaling or ingesting substances that are not intended to be inhaled or ingested or are inhaled or ingested in excess of recommended amounts; and (d) any beverage containing alcohol (except when served or available at approved Company social or business functions).

II. Unfit Condition: Manifesting behavior which includes, but is not limited to the following: (a) drowsiness; (b) sleepiness or sleeping; (c) odor of alcohol on breath; (d) slurred and/or incoherent speech; (e) aggressive behavior; (f) depressive behavior; (g) unexplained work errors; (h) difficulty in performing normal or routine duties; (i) unexplained on-the-job accident; (j) unexplained on-the-job injury; (k) rapid changes in mood; (l) disorientation or inability to concentrate; (m) lack of coordination in walking or performing other tasks.

III. History of Impaired Job Performance: A pattern of recurring job performance problems such as absenteeism, tardiness, minor injuries/accidents or other job difficulties.

IV. Major Accident: Any accident on the job which results in injury to one or more individuals requiring medical attention beyond that of first aid and/or damages to property.

V. Extended Absence: Any absence (other than approved vacation) in which the employee is absent from work for more than seven (7) consecutive work days.

VI. Fitness-for-Duty Evaluation: A medical examination which may include testing for chemical substances.

D. Policy

I. Possession, Sale or Use of Chemical Substances on Company Property.

Employees will be subject to immediate discharge if caught selling, using, or being in possession of chemical substances (a) on company premises, including the company parking lot, or (b) while in or responsible for company vehicles at or away from company premises.

II. Searches.

The Company may conduct unannounced searches for chemical substances in instances such as:

a) When an employee appears to be in an unfit condition or has demonstrated a history of impaired job performance.
b) When there has been a major accident.
c) When circumstances or workplace conditions justify at the employer's sole discretion.

(See Search Policy listed on page 44.)

III. Being in an Unfit Condition at Work.

a) Employees are to conduct themselves in a coherent and competent manner. Any employee who appears to be in an unfit condition at work,

which may include sleep deprivation, or who demonstrates a recent history of impaired job performance, who is involved in a major accident while on the job or has been on an extended absence may be requested to undergo a fitness-for duty evaluation.

b) An employee who refuses to submit to a fitness-for-duty evaluation in accordance with the provisions of the program will be subject to discharge.

c) An employee who switches or adulterates any sample submitted for testing will be subject to discharge.

d) An employee who refuses to fill out and sign the written consent forms agreeing to submit to a fitness-for-duty evaluation and permitting the Company to be apprised of the testing results or fitness for duty evaluation will be subject to discharge.

e) Disciplinary action up to and including termination will occur should the results of the fitness for duty evaluation indicate the employee has: used any illegal substance or alcohol; has used any controlled substance either without being prescribed by a licensed physician or in excess of the amount prescribed by a licensed physician; or has used any legal substance in a manner in which the substance is not intended to be used (such as inhaling or ingesting substances that are not intended to be inhaled or ingested or are inhaled or ingested in excess of recommended amounts). Management will determine the extent of disciplinary action.

IV. Employee Assistance Programs.

a. Required Treatment Program. Employees who are determined to have used chemical substances as a result of the fitness for duty evaluation may be required to attend a treatment program offered by an outside provider as part of the disciplinary action taken, at management's discretion. The cost of the program will be fully explained to each employee. Refusal to participate in or complete the program or the after care program will result in discharge.

i) Employees who participate in the program will be tested for chemical substances in accordance with the provisions of the program until the program ends. A positive test will subject the employee to immediate discharge.

ii) Employees who complete the program will be tested for chemical substances every two months for the next eighteen months after completion of the program. The days on which the tests will occur will be unannounced. If an employee tests positive for chemical substances after the completion of the program, the employee will be subject to immediate discharge.

iii) Employees who complete the program will also be required to comply

with their aftercare program as established by the treatment facility. Failure to do so will result in discipline up to and including termination.

b. Self-Referred Treatment.

Employees who believe that they have a chemical substance problem should promptly contact a member of management. The employee will be given the opportunity to enroll in a voluntary program operated by professional counselors. The cost of the program will be fully explained to each employee. No disciplinary action will be taken against an employee who volunteers on his/her own initiative to enroll in a treatment program provided this is done prior to any violation of the company's chemical substance policy.

i) Employees who participate in the voluntary program will be tested for chemical substances in accordance with the provisions of the program until the program ends. A positive test result following the commencement of the program will subject the employee to immediate discharge.

ii) Employees who complete the voluntary program will be tested for chemical substances every two months for an eighteen-month period after completion of the program. The days on which the testing will occur will be unannounced. If an employee tests positive for chemical substances after the completion of the program, the employee will be subject to immediate discharge.

iii) Employees who complete the program will also be required to comply with their aftercare program as established by the treatment facility. Failure to do so will result in discipline up to and including termination.

6. SUBSTANCE ABUSE POLICY

A. Forward

Among FS Transportation, LLC's most vital concerns are the safety, health, and wellbeing of its employees and all people who come into contact with its workforce, property and/or its products, and services. It is our goal to provide a healthy, satisfying work environment that promotes personal opportunities for growth. Furthermore, our employees have the right to work with persons free from the effects of alcohol and/or drugs.

FS Transportation, LLC does not intend to intrude into the private lives of its employees and recognizes the employees' off-the-job as well as on-the-job-involvement with illegal drugs can have a negative impact on the workplace, fellow employees and customers. Employees are expected to report for work with no illegal drugs in their bodies and free of all adverse effects of alcohol misuse. FS Transportation, LLC encourages employees to seek professional assistance any time for personal problems, including alcohol or drug dependency that adversely affects their ability to perform their assigned duties.

Supervisors are dedicated to the fair and equitable application of this policy. They are required to apply all aspects of this policy and to use it in an unbiased and impartial manner.

B. Purpose

The purpose of this policy is to comply with Department of Transportation Regulations (DOT) 49 CFR Part 40, Procedures for Transportation Workplace Drug Testing Programs, 49 CFR Part 382, Controlled Substances and Alcohol Use and Testing, Federal Motor Carrier Safety Administration, and 49 CFR Part 29, Drug-Free Workplace Act of 988. This policy incorporates these regulations for safety sensitive employees.

C. Applicability

This policy applies to all employees that are required to have a Commercial Driver's License (CDL) or are considered by DOT to be in a safety-sensitive position, full or part-time, contract employees and contractors when they are on FS Transportation, LLC property or when performing any safety-sensitive function for FS Transportation, LLC.

Performing a safety-sensitive function means from the time an employee is ready to work, begins work, and is relieved from all responsibility for performing work. Safety-sensitive functions may include, however, are not limited to the following items:

I. All time on FS Transportation, LLC's property, or shipper property, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by FS Transportation.

II. All time inspecting equipment as required by 49 CFR Part 392 (392.7 & 392.8) or otherwise inspecting, servicing, or conditioning any Commercial Motor Vehicle (CMV) at any time.

III. All time spent at the driving controls of a CMV.

IV. All time, other than driving time, in or upon any CMV except time spent resting in a sleeper berth (the berth must conform to the requirements of 49 CFR Part 393.7.)

V. All time loading or unloading, attending a CMV being loaded or unloaded, remaining in readiness to operate the CMV or in giving or receiving receipts for shipments loaded or unloaded.

VI. All time repairing, obtaining assistance, or remaining in the attendance of a disabled CMV.

D. Legal Drugs

For a drug to be legally prescribed, the employee must have a prescription or other written approval in his/her name from a licensed physician for the use of the drug in the course of medical treatment. The prescription or written document must also contain the name of the substance, the quantity/amount to be taken, and the period of authorized use. Any abuse or misuse of legal drugs while performing a safety-sensitive function is prohibited by FS Transportation.

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited by FS Transportation, LLC. However, the use of any substance which carries a warning label that indicates that motor skills, mental functioning, or judgment may be affected, the employee must report this to supervisory personnel immediately.

An employee must obtain a written release from the attending physician releasing the employee from performing safety-sensitive duties any time the employee is using a performance altering prescription.

E. Prohibited Substances

Any substance or illegal drug identified in 21 CFR 1308.11 Schedule I of the Controlled Substance Act (21 U.S.C. 812) is prohibited at all times. This includes, but is not limited to marijuana (THC), amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes, but is not limited to, any illegal drug use, misuse of legally prescribed drugs, and the use of illegally obtained prescription drugs.

The consumption of beverages containing alcohol or substances in which alcohol is present (including any medication, mouthwash, food, candy) or any other substance in which alcohol is present while performing safety-sensitive functions for FS Transportation, LLC is prohibited.

F. Prohibited Substances

Any substance or illegal drug identified in 21 CFR 1308.11 Schedule I of the Controlled Substance Act (21 U.S.C. 812) is prohibited at all times. This includes, but is not limited to marijuana (THC), amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes, but is not limited to, any illegal drug use, misuse of legally prescribed drugs, and the use of illegally obtained prescription drugs.

The consumption of beverages containing alcohol or substances in which alcohol is present (including any medication, mouthwash, food, candy) or any other substance in which alcohol is present while performing safety-sensitive functions for FS Transportation, LLC is prohibited.

G. Prohibited Conduct

Engaging in unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances is prohibited by any safety-sensitive employee of FS Transportation, LLC. Employees who violate this provision will be terminated.

No employee of FS Transportation, LLC shall perform a safety-sensitive function within four (4) hours after using alcohol or use alcohol while performing the safety-sensitive function. Employees who violate this provision will be terminated.

All employees of FS Transportation, LLC are required to notify their supervisor within five (5) days of any criminal drug statute conviction. Failure to comply with this provision shall result in termination.

H. Compliance with Testing Requirements

All employees in safety-sensitive positions will be subject to urine drug testing and breath alcohol testing. A refusal to test is considered a positive test result and will

lead to immediate removal from duty, referral to a Substance Abuse Professional (SAP), and termination of employment. The following items constitute a refusal to test.

I. Failure to appear or remain at the test site.
II. Failure to provide urine specimen when required.
III. Failure to permit direct observation or monitored collection.
IV. Declines to take a second test when directed.
V. Failure to provide sufficient urine or breath without a valid medical explanation.
VI. Failure to undergo a medical evaluation.
VII. Failure to cooperate with the testing process.
VIII. Attempt to dilute, substitute, or tamper with a specimen.
IX. Failure to sign the Custody Control Form or Breath Alcohol Form

I. Testing Proceedures

Federal regulations require analytical urine drug testing and breath alcohol testing to be conducted when circumstances warrant or as outlined in the regulations. FS Transportation, LLC affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the tests results are compromised, the test will be cancelled.

7. DRUG TESTS

The drugs that will be tested for include marijuana (THC), cocaine, opiates, amphetamines, and phencyclidine (PCP). Urine specimens will be conducted using the split specimen sample method as described in 49 CFR Part 40. Each specimen will be accompanied by a DOT Chain of Custody and Control Form (CCF) and identified using a unique identification number that attributes the specimen to the correct individual.

The specimen will be sent to a laboratory where a validity test will be performed to ensure that it is non-adulterated human urine. Then an initial drug screen test will be conducted on the primary specimen. For the primary specimen that is not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be

performed. The primary test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40.

All test results from the laboratory will be reported to a Medical Review Officer (MRO). The MRO is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will be knowledgeable in the DOT regulations and MRO guidelines, DOT operating administration regulations and any changes to any of these. The MRO must obtain the appropriate qualification training as mandated in 49 CFR Part 40.

The MRO will review all test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive test result. The MRO will contact the employee, notify him/her of the positive laboratory result, and provide the employee with an opportunity to explain the confirmed test result. The MRO will subsequently review the employee's medical history/records to determine whether there is a legitimate medical explanation for the positive test result. If no legitimate medical explanation is found, the test will be verified positive and reported to the FS Transportation, LLC's Designated Employee Representative (DER). If a legitimate medical explanation is found, the MRO will report the test result as negative.

The split specimen sample will be stored at the initial laboratory until the analysis of the primary specimen is complete. If the primary specimen is negative, the split sample will be discarded. However, if the primary specimen is positive, the split sample specimen will be retained by the initial laboratory for testing if so requested by the employee through the MRO within 72 hours of being notified. The split sample specimen, if requested to be tested, will be sent to an alternate certified laboratory for testing, at the expense of the employee or applicant.

A. Safeguards for Controlled Substance Testing

I. The Collector must complete mandated qualification training as defined in 49 CFR Part 40 to be able to perform collections.
II. The Collector must obtain photo identification from the employee or be identified by a FS Transportation, LLC representative prior to administering the test.
III. The Collector will ask the employee to display the contents of their pockets prior to the test being taken.
IV. The Collector will ask the employee to wash their hands only with water.

V. The Collector and employee will check the identification numbers of the seals with the number on the CCF.
VI. The Collector will ask the employee to sign the CCF signifying the correctness of the data for test reporting.
VII. The Collector will unwrap and wrap the specimen containers in the presence of the employee.
VIII. After the specimen is collected, the Collector will inspect the specimen for sufficient volume, temperature and signs of tampering.
IX. The specimen sample containers are placed in a shipping container, sealed with tamper proof seals in the presence of the employee. The employee will be asked to initial the seals on the specimen sample containers.
X. The laboratory will check the seals on the specimen bottles upon receipt to ensure they are not broken, if they are broken, the laboratory will report the test as cancelled.
XI. The laboratory will report the results to the MRO by electronic communication.

B. Direct Observation Collection is Mandatory in the Following Circumstances

I. The laboratory reports an invalid test and the MRO reports there is not a medical reason for it.
II. The test results are reported as positive adulterated or substituted cancelled with no split specimen sample available.
III. The Collector observed signs that indicate an attempt was made to tamper with the specimen.
IV. The Collector notes that the temperature of the specimen is not within range. Note: The Collector is NOT required to take the employee's body temperature. The DER from FS Transportation, LLC will be notified of the out of temperature specimen after the direct observation test is completed.

In addition, FS Transportation, LLC has the option of requesting direct observation testing for return-to-duty and/or follow-up testing. The observer must be the same gender as the employee. The observer may be someone other than the collector to ensure the same gender; however, this individual may not handle the specimen.

C. Shy Bladder Procedure

If the employee cannot provide a specimen at the initial attempt, the employee will be urged to drink up to 40 oz of water. The amount of water is to be spaced out

over a three-hour period. The employee is not required to drink the water by 49 CFR Part 40 regulations.

If the employee does not provide a specimen, or refuses to provide a specimen, the test will be marked as a "Refusal to Test" and considered a positive test result. The employee will be sent to a physician with expertise in the field, within five (5) days for an evaluation as to why the individual was not able to provide a specimen. If there is a valid medical reason, the test result will be changed to "Cancelled."

D. Breath Alcohol Test

All tests for breath alcohol will be conducted using a National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath Testing (EBT) device. The device must be operated by a certified trained Breath Alcohol Technician (BAT). The certified training must meet the qualification as defined in 49 CFR Part 40.

A blank air test should be administered prior to the initial test and will be administered prior to the confirmation test. This indicates the EBT chamber is clear.

An initial breath test will be given, if the result is less than a concentration of 0.02, the test result is negative. No additional tests will be required. If the initial test results in a concentration of 0.02 or higher, a second confirmation test will be conducted. A waiting period of at least 15 minutes but no longer than 30 minutes after completion of the initial test must be completed before the confirmation test is done. If the results of the confirmation test are between 0.020-0.039; the employee must be removed from the safety-sensitive position for at least 24 hours. If the result is 0.040 or higher, the employee is considered under the influence of alcohol and the employee must be removed from service and be referred to a Substance Abuse Professional (SAP). Any result on the confirmation test of 0.020 or higher is considered a positive test result. The confirmation test will be completed using the same EBT as the screening test. Each test will have its own unique sequential number. A printout of each test will be provided and attached to the Alcohol Test Form. The printout will also include the time the test was taken, and EBT identification number. The test will be performed in a private, confidential manner as required by 49 CFR Part 40.

E. Safeguard for Alcohol Testing

V. The BAT will request photo identification from the employee or be identified by a FS Transportation, LLC representative prior to administering the test.

VI. The Employee will select an individually sealed mouthpiece and it will be opened by the BAT while in the presence of the employee for the initial test.

VII. Calibration checks will be frequently performed to insure the EBT is working efficiently. The employee may ask to see the last calibration.

VIII. The Employee will select an individually sealed mouthpiece and it will be opened by the BAT while in the presence of the employee for the confirmation test.

F. Positive Test Results

Any employee of FS Transportation, LLC that has a confirmed positive drug or alcohol test will be removed from his/her safety-sensitive position, informed of the educational and rehabilitation programs available, and referred to a Substance Abuse Professional (SAP) for assessment. A positive drug or alcohol test may also result in termination from FS Transportation, LLC.

G. Compliance with the Tratment Program Requirements

Employees are encouraged to make use of the available resources for treatment of alcohol misuse and/or illegal drug use problems. Under certain circumstances, employees may be required to undergo treatment for substance abuse or alcohol misuse. Any employee of FS Transportation, LLC who refuses or fails to comply with a SAP's requirements for treatment, after care or return-to-duty shall be subject to termination. The cost of treatment will be paid by the employee or their insurance provider.

H. Types of Testing

All candidates are required to take a urine drug test. The receipt of a negative urine drug test is required. If the results of the urine drug test are negative-diluted, the result will be considered negative. If the test was cancelled, FS Transportation, LLC requires the applicant to take and pass a second urine drug test.

Any time an employee of FS Transportation, LLC is off work for 30 consecutive days or more, the employee will be required to take and pass another pre-employment urine drug test.

I. Reasonable Cause Testing

Reasonable Cause referral testing will be made on the basis of documented objective facts and circumstances, which are consistent with the short-term effects of substance abuse.

At least one supervisor that has been trained in Reasonable Cause detection is needed to make a Reasonable Cause referral for testing. The training must include ways to determine the signs and symptoms of drug and alcohol use. The supervisor must conclude that the employee is impaired in his/her work performance. Documentation as to the physical appearance, behavioral and performance indicators, speech and body odors of the employee must be completed prior to the test result being received.

Examples of Reasonable Cause include, but are not limited to, the following:

I. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse.

II. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.

III. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse.

IV. Physical contact (meaning fights), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures.

J. Post-Accident Testing for DOT Circumstances

All employees of FS Transportation, LLC are required to undergo urine drug testing and breath alcohol testing if they are involved in an accident with a vehicle owned or leased by FS Transportation, LLC. If one or all of the following conditions are met, a DOT test is required:

I. The accident resulted in a fatality.

II. The employee of FS Transportation, LLC was issued a citation and a vehicle was towed from the scene of the accident.

III. The employee of FS Transportation, LLC was issued a citation and an individual involved in the accident received bodily injury requiring immediate medical treatment away from the scene of the accident.

The surviving employee that operated the vehicle or any other employee whose performance cannot be completely discounted as contributing to the accident must be tested.

Following the accident, the employee(s) must be tested as soon as possible, but not to exceed eight (8) hours for alcohol testing and thirty-two (32) hours for urine drug testing. Any employee of FS Transportation, LLC involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she has completed an alcohol test or is released from duty. Any employee of FS Transportation, LLC who voluntarily leaves the scene of an accident prior to submission to drug and alcohol testing will be considered to have refused the test and the employee will be terminated.

An alcohol test should be administered within two (2) hours of the accident. If this has not been done, FS Transportation, LLC will document the reason the test was not completed within two (2) hours of the accident and will continue to attempt to obtain a test and document their attempts within the eight (8) hour period. At the end of the eight (8) hours, FS Transportation, LLC will cease the attempt to administer the test and document why the test was not completed.

The employee must remain readily available for testing, until they are released from the scene of the accident. If the employee is required to leave the scene under the authority of medical or police personnel, they must notify FS Transportation, LLC as to their whereabouts.

If FS Transportation, LLC is unable to perform a urine drug test and a breath alcohol test, (i.e., employee is unconscious, employee is detained by a police agency), FS Transportation, LLC may use drug and alcohol post-accident test results administered by the state and/or local law enforcement officials if they were completed. FS Transportation, LLC will obtain the results in conformance with state and local law.

K. Post-Accident Testing for Non-DOT Circumstances

FS Transportation, LLC requires an employee to submit to drug and alcohol tests following a motor vehicle accident, a personal injury accident, or property damage accident involving injury to any individual involved in the accident requiring immediate medical treatment away from the scene, serious damage to any motor vehicle or equipment involved in the accident, a fatality from the accident, or serious property damage even if the employee did not receive a citation. Any employee having a physical injury that requires immediate medical attention away from the work site will be required to submit to drug and alcohol tests. Tests will not be required if the supervisor in charge determines, using the best information available at the time of the decision, that the employee's performance can be completely discounted as a contributing factor to the accident.

L. Random Drug and Alcohol Testing

All employees of FS Transportation, LLC that work in safety-sensitive positions will be subject to random unannounced testing. The selection of these employees for random testing of drug and alcohol use will be made using a scientifically valid method that ensures each covered employee will have an equal chance of being selected each time selections are made. The random tests will spread throughout the year. Tests can be conducted at any time during an employee's shift. Employees are required to proceed immediately to the collection site upon notification of their random selection. There is no discretion on the part of management in the selection and notification of employee who are to be tested.

The percentages of the number of safety-sensitive employees in the random program are established by 49 CFR Part 40 on an annual basis. Currently the rates are 50% for drug testing and 10% for alcohol testing.

M. Return-to-Duty Testing

Employees of FS Transportation, LLC, under certain circumstances, that previously tested positive on a drug and/or alcohol test, must be evaluated and released by a Substance Abuse Professional (SAP) before returning to work. A SAP is a licensed physician, certified psychologist, social worker, employee assistance professional, or addiction counselor. The SAP must also have clinical experience in the diagnosis and treatment of drug and alcohol related diseases. The SAP must have completed the required qualification training and completed the continuing education training as detailed in 49 CFR Part 40. Before

scheduling the return-to-duty test, the SAP must assess the employee and determine if the required treatment has been completed.

N. Follow-Up Testing

Under certain circumstances, employees of FS Transportation, LLC will be required to undergo frequent unannounced random urine and/or breath testing following their return-to-duty test. Follow-up testing on an employee will be performed for a period of one (1) to five (5) years with a minimum number of six tests performed the first year. The employee will remain in the random testing program. A qualified SAP will determine the frequency and duration of the follow-up tests, beyond the minimum number.

O. Confidential Result Record Keeping

The results of all drug and alcohol testing results will be maintained in a secure confidential manner by the employer, laboratory, collection site, MRO, SAP, and the Consortium/Third Party Administrator (C/TPA). Information can only be released in the following circumstances and with the employee being notified in writing of the release.

I. To a third party only as directed by specific written instructions of the employee.

II. To the decision-maker in a lawsuit, grievance, or other proceeding I initiated by or on behalf of the employee tested.

III. To a subsequent employer upon receipt of a written request from the employee as required by 49 CFR Part 40 of the DOT regulations.

IV. To the National Transportation Safety Board during an accident investigation.

V. To the DOT or any DOT agency with regulatory authority over the employer or any of its employees, or to a State agency with oversight.

VI. To the employee upon written request.

P. Employee/Supervisor Training

All employees of FS Transportation, LLC in a safety-sensitive position will undergo a minimum of 60 minutes of training on the signs and symptoms of drug

use including the effects and consequences of drug use on personal health, safety, and the work environment. The training must include manifestations and behavioral cues that may indicate prohibited drug use. In addition, all employees will also receive a minimum of 60 minutes of training on the signs and symptoms of alcohol misuse including the effects and consequences on personal health, safety, and work environment.

Q. Employee Agreement for Policy Violations

Under certain circumstances, employees of FS Transportation, LLC who re-enter the workforce must agree to a re-entry agreement. The agreement may include, but is not limited, to the following items:

I. A release to return to work statement from the SAP.

II. A negative test result for drugs and/or alcohol.

III. An agreement to unannounced frequent follow-up testing for a period of one (1) to five (5) years with at least six (6) tests performed the first year.

IV. A statement of expected work-related behaviors of the employee.

V. An agreement to follow specified after care requirements with the understanding that a violation of the re-entry contract is grounds for termination.

R. System Contacts

Designated Employer Representative:

Name: Brett Miller

Telephone: (574) 654-8058

Fax: (574) 654-4587

8. OVERSIZE/OVERWEIGHT CITATIONS (COMPANY VIOLATIONS)

Citations/fines related to oversize/overweight shipments are the responsibility of the driver.

9. EMPLOYEE PERSONAL CITATIONS (TRAFFIC MOVING VIOLATIONS)

Citations/fines levied against the employee for infractions of local, state, or federal regulations are the employee responsibility, even if the violation occurred while driving company equipment.

Company policy mandates that employees inform company management of all · violation(s) received involving company equipment.

10. VEHICLE SAFETY FOR NON-CDL

All individuals required to drive on Company business are expected to do so safely and in accordance with all applicable laws. All individuals are personally responsible for any citation or ticket they receive while driving on Company business or in a Company vehicle.

You must immediately report any accident that occurs while you are on Company business, as well as any damage that occurs to a Company owned, leased or rented vehicle.

If you are required to drive in the course of your duties, or if you are driving a company vehicle for personal use with approval from management, you must maintain a valid driver's license and must immediately report any restriction on, or suspension, or revocation of your driver's license to your supervisor.

There is a separate policy for professional drivers as noted below:

11. DEPARTMENT OF TRANSPORTION (FMCSA) SAFETY REGULATIONS

A. Unauthorized Passengers

No employee shall transport or permit any person to be transported on/in any motor vehicle under the authority of the company, except as defined by Federal Motor Carrier Safety Regulations, Part 392.

B. FMCSA Hours of Service Regulations

To comply with FMCSA hours of service regulations, each CDL employee must prepare a record of duty status (log book) that accurate and correctly reflects his or her time during each 24-hour period worked. Additionally, the employee must inspect and present a vehicle inspection report for each vehicle operated during each 24-hour period. Both of these requirements must be reported daily and also reported electronically (E-logs) by each employee, unless otherwise directed by the Transportation Manager.

All regulations relating to the Employee's record of duty can be located in the Federal Motor Carrier Safety Regulations, Part 395. If you have any questions regarding the proper interpretation of these regulations, please contact the Transportation manager.

C. Commercial Motor Vehicle Inspections (Roadside)

It is the policy of the company that all employees receiving a roadside inspection report are required to immediately notify dispatch of such inspection.

It is imperative that copies of any roadside service receipts be attached to the commercial motor vehicle inspection report for proper completion (Brett – please verify)

In the case of "employee repair", documentation in the form of a driver statement of said repairs and receipts for any parts purchased must be attached to the report. A driver statement of the nature of the repair must include wording to acknowledge actual repair of the equipment.

Although a violation may be deemed "out-of-service", acknowledgement of the repair must be attached subsequent to processing.

If the employee is under dispatch, the inspection report, including necessary repair documentation, must be turned to dispatch immediately upon return.

D. Safety Meetings & Safety Committees

Safety meetings will be held at least quarterly and more as needed. The purpose of the safety meetings is to help in the detection and elimination of unsafe conditions and work procedures. Employees will also be required to complete safety training on various topics each quarter.

The safety committee shall conduct in-house safety inspections, investigate accidents, and review accident reports to determine means of prevention. They will accept and evaluate employee suggestions, review safety procedures, and recommend improvements. They will monitor safety program effectiveness, promote safety awareness, and conduct and review inspections.

E. Job-Related Accidents or Injuries

In the event you have an injury on the job, it must be reported to the transportation manager, superior, or dispatcher immediately but no later than the end of your shift. (Failure to do so is a Type B Company Rule violation.) Even a slight injury may develop into something more serious, so it must become a matter of record for worker's compensation insurance or group insurance, whichever may apply. If you fail to report an accident or injury to your supervisor or a member of management immediately, the company may presume that the incident did not occur on premises.

A drug screen is required for anyone who is injured on the job, or causes an accident, personal injury or property damage, where drug use is likely to have contributed to the accident and for which the drug test can accurately identify impairment caused by drug use. Any employee who refuses to submit to a drug screen in such a circumstance will be discharged.

12. ACCIDENT INVESTIGATION

A. Vehicle/Safety Incident Reporting

The purpose of this policy is to explain the procedures necessary to successfully handle vehicle accidents and/or safety incidents, in a way that will prevent or reduce the chance of litigation, and to allow the information of each accident and/or safety incident to be used as a learning tool to eliminate future, similar incidents.

An accident is defined as any unplanned event that may interrupt the completion of an activity and may (are may not) include property damage or injury.

Prior to an investigation of an accident and/or safety incident, it is necessary for the employee involved to provide the following:

- Factual information as soon as possible after the occurrence, which will provide direction throughout the administration of the claim.

- Factual insight into the causative factors that led to the loss, that will lead to preventability or corrective action from a personnel or operational standpoint.

The employee is responsible to call the company immediately and accurately report information regarding all aspects of the accident and/or safety incident. The employee must also complete, as necessary, the written report forms and other required documents provided in the reporting kit.

No employee shall leave the scene of an accident and/or safety incident in which he/she is involved, unless directed to do so by the law enforcement.

All accidents, safety incidents and injuries, regardless of responsibility or scope, must be reported to the company to protect the employee and the company from unjust claims. (Refer to FST Driver Accident Procedure)

13. VEHICLE INSPECTION AND MAINTENANCE

A. Pre and Post Trip Inspection

The final inspection of equipment prior to starting a trip is performed to be certain there are no defects or deficiencies, which may affect the safe operation of the vehicle.

Employees operating equipment governed by the Federal Motor Carrier Safety Regulations, Part 396, are required to perform the mandated vehicle inspection prior to starting a trip and completing the paperwork or electronic log device (ELD) at the end of the tour of duty.

The employee operating the equipment is responsible for performing the vehicle inspection. Any defects or deficiencies noted must be corrected by the company's designated maintenance employee prior to the departure of the employee.

Every employee shall perform a post trip inspection on each vehicle he/she operated and complete the appropriate steps in the ELD. The report shall cover the required parts and accessories to be inspected as mandated by the Federal Motor Carrier Safety Regulations, Part 396.11.

The post trip inspection report will be completed in the ELD to be reviewed by maintenance. Equipment defects or deficiencies noted on the report by the employee will be repaired prior to the next departure. Copies of the vehicle inspection report and work orders will be filed accordingly. If the repairs cannot

be corrected, the equipment will be placed out-of-service pending the necessary repairs.

B. Annual Inspection and Preventive Maintenance

Equipment inspection and maintenance are of vital importance for safe transportation on highways. The annual inspection and preventative maintenance procedure will be performed for the continuing qualification and use of equipment under the policy of the company and meeting the requirements of the U.S. Department of Transportation.

All tractors and trailers operated under the authority of the company are inspected annually as mandated by the U.S. Department of Transportation. Preventative maintenance for company tractors and trailers is done on a periodic basis.

Employees of the company will acknowledge the policy and notify the designated maintenance employee when equipment, operated by the employee, is due for maintenance and/or the annual inspection as mandated by the U.S. Department of Transportation.

The annual inspection will be performed by a qualified mechanic/inspector at FST Garage, commercial garage, vehicle manufacturer or state and federal agency.

The preventative maintenance inspection/service is to be performed by a qualified mechanic at FST Garage, commercial garage or vehicle manufacturer.

The results of the annual inspection and/or preventative maintenance will be recorded on the appropriate inspection report, company or federal, completed and signed by the mechanic/inspector.

A copy of the annual inspection and/or preventative maintenance report will be retained with the equipment at FS Transportation.

The original copy of the annual inspection and/or preventative maintenance report will be forwarded to the Transportation Manager and filed accordingly.

Any tractor or trailer that fails the annual inspection and/or preventative maintenance is placed out-of-service until the proper repairs or made and a satisfactory follow-up inspection is performed.

The designated company maintenance employee is responsible for the corrective action to place the tractor or trailer back in service.

C. Vehicle Breakdown and Road Repair Policy

The company is committed to providing its employees with expedient breakdown and road repair service. Employees will be provided with telephone numbers for day or night communication with company locations and management personnel. This information is for employee safety and to keep our customers informed of any potential delays caused by a breakdown.

All company equipment will be kept neat and clean. It is the responsibility of the assigned employee to maintain the cleanliness and professional appearance of the equipment.

D. Principles of Safe Driving

(These principles are given to employees at orientation.)

14. ATTENDANCE AND LEAVE POLICIES

A. Introductory Period

The first 60 days of your employment are an introductory period. During this period, each of us will have the opportunity to evaluate each other and to decide whether or not the association is to prove mutually advantageous. Management will evaluate factors such as the quality and quantity of your work, your dependability, attendance, promptness, ability to follow instructions, job knowledge and ability to learn new job skills, general work attitude, and cooperation with others. During this time, you may resign or you may be released if the Company feels your performance is not meeting the standards.

Full-time employees are eligible for benefits after completing 60 days of employment. Unless required by law, no other fringe benefits, including holiday pay, are provided to employees during the introductory period.

B. Regular Full-Time Employees

A regular full-time employee is a person who is hired to work 30 or more hours per week during the calendar year and has satisfactorily completed the introductory period. Regular full-time employees are eligible for all fringe benefits.

C. Regular Part-Time Employees

A regular part-time employee is a person who is hired to work less than 30 hours per week and has satisfactorily completed the introductory period. Regular part-time employees are not eligible for fringe benefits, except as specifically provided in this handbook or as required by law.

D. Temporary Employees

A temporary employee is a person who is employed for a specific period (such as the summer), or for a specific limited purpose (such as to replace an employee on medical leave). A temporary employee is not eligible for fringe benefits, except as otherwise provided in this handbook or as provided at time of employment, or as provided by law (such as workers' compensation benefits and unemployment insurance contributions).

E. Hours of Work

The regular work week will consist of eight to twelve hours per day, six days per week. Our normal work week begins on Monday. Regular hours will vary by position and will be communicated accordingly. Management reserves the right to change the beginning of the work week to Sunday.

Normal work hours and shifts may be modified due to business conditions.

The company reserves the right to assign employees to jobs other than their usual assignment when required. To meet the needs of customer demands, it may be necessary to change employees' scheduled hours. Employees will be given advance notice whenever possible of the scheduled change. When Saturday hours are scheduled, they will be mandatory and, whenever possible, they will be posted prior to the end of your shift on Thursday. However, it is your responsibility to know your beginning of the week start time which could be a Sunday.

At times, an employee may be required to work overtime without notice if he/she is needed. Overtime must be approved by the employee's supervisor before any overtime is worked. CDL Drivers are required to follow hours of service per FMCSA regulations.

F. Promotions

The Company prefers to fill new and vacant positions from within the Company by utilizing existing employees. From time to time, a notice may be posted announcing open positions in the Company. Employees who are interested in advancement should discuss this with their supervisor or a member of management.

G. Meal Periods and Breaks

CDL employees are required to take breaks according to CDL regulations. Dispatch and Maintenance will be allotted a 30-minute break per 8-hour shift. Spotters are part of a continuous run operation. Dispatch will notify Spotters when breaks are to be taken and whether those breaks will be paid or not. A lunch room is available for breaks for Maintenance, Spotters and Dispatchers

H. Attendance Policy

Employees will be assigned points for the following actions, except as otherwise provided in the Exceptions (see below):

The following action will be assigned **0.1 point (one tenth of a point):**

- Missing out scan

The following action will be assigned **0.25 point:**

- 12 minutes or less late for start of shift

The following actions will be assigned **0.5 point:**

- Late/Tardy for start of shift more than 12 minutes, BUT less than 60 minutes late.
- No in-scan

The following actions will be assigned **1 point**:

- Absent from entire shift, BUT called in at least 30 minutes prior to shift start time
- Late/Tardy for start of shift 60 minutes or longer
- Left before end of scheduled work time

The following action will be assigned **1.5 points**:

- Absent from entire shift, BUT called in less than 30 minutes prior to shift

The following action will be assigned **2 points**:

- Absent from entire shift without calling in (no-call/no-show)

Points are **doubled** for all of the above actions on scheduled week-end work except for tardy penalties for arriving late less than 60 minutes.

Being Late or Tardy for a shift means not being at your workstation at your scheduled work time. Should you swipe in on time but are not at your workstation on time, you will be assessed the appropriate points. For example: If you are

running late, pull up in front of the door, swipe in and then go back out to park your car. You will be considered tardy if you are not at your workstation at the start of your scheduled shift.

If you are uncertain if your scan was accepted, you should scan again and report the problem to your supervisor prior to the start of your shift.

Employees who are absent for three (3) days with "no call/no show" status will be considered to have voluntarily quit employment.

Notices will be given to employees following their 5th, 7th, and 9th points. The 9th point notice is a FINAL warning with the 10th point resulting in termination. It is the employees' responsibility to monitor their own attendance and may speak with Human Resources if they question their point total.

If an employee is not eligible or does not apply for FMLA or ADA leave and is absent up to three (3) consecutive days, but calls each day and returns to work with proper medical verification of the need to be off work, he or she will be charged **only one (1) point** for the entire absence, unless first day of absence is a weekend shift, then weekend penalty applies.

Supervisors and managers will be held to higher standards of attendance. Issues will be reviewed on a case-by-case basis, and appropriate action will be taken up to and including termination.

I. Point Limits:

All employees should remember that employment is "at will" meaning that they or the company may end the employment at any time and for any reason.

II. Reporting an Absence:

If you are going to be absent, call (574) 654-8058, Option #7 and leave a detailed message with your name, shift and the reason for the absence. Failure to use the call off line will result in an additional ½ point.

III. Employees in their Introductory Period:

Employees who have not yet completed their 60-day introductory period may be released with or without prior notice or warning. Absences that occur during the introductory period, but that do not result in termination will be assigned the appropriate points.

IV. Total Points Calculation Method:

Those employees in the positions below will have any attendance point greater than nine (9) months old dropped from the attendance point total:

Spotters

Dispatch

CDL Drivers

Those employees in the positions below will have any attendance point greater than twelve (12) months old dropped from the attendance point total:

FST Garage

V. Exceptions – Requested Days Off (RDO):

Points will not be assessed for approved full-day RDOs or half-day RDOs where the employee works the balance of his or her shift.

Employees may opt to trade RDOs in exchange for removing attendance points.

See the Company's Requested Days Off (RDO) policy for more information.

VI. Exceptions – FMLA, ADA, and USERRA:

Absences that occur in connection with leave provided under the Family & Medical Leave Act (FMLA), Americans with Disabilities Act (ADA), or Uniformed Services Employment & Reemployment Rights Act (USERRA) **will not** be assigned points.

Examples of how points are assigned for a current employee past the introductory period:

Scenario:	**Result:**
Your shift is scheduled to begin at 5:00 a.m.; you scan in at exactly 5:00 a.m., a.m.	Assigned ***0.25 point*** for the tardy.
You are late/tardy for the start of your scheduled shift; however, arrive less than 60 minutes late but more than 12 minutes late.	Assigned ***0.5 point*** for the tardy.

You call in an hour before your shift is scheduled to begin to say that, due to a family emergency, you cannot come to work that day.	Assigned ***1 point*** for the absence.
You call in 30 minutes before your shift is scheduled to begin to say that you will be late, and then come into work 60 minutes or more after the scheduled shift started.	Assigned ***1 point*** for the late.
You miss 1 scheduled workday. You also never call in. When you come back to work you do not have a doctor's note for the absence.	Assigned ***2 points*** for the one-day absence.
You call off on a Saturday or Sunday, but when your return, you have a doctor's note.	Assigned ***2 points*** for the one-day absence.
You miss 2 scheduled workdays and you do call in each day. You return to work with a doctor's note for the absence.	Assigned ***1 point*** for the two-day absence.
You have 9 points already when you forget to scan in at the start of the shift.	Assigned ***0.5 point*** for a total of 9.5 points.
You decline to work before or after your scheduled shift when asked.	Assigned ***1 point*** for declining to work when your assistance is needed.
You refuse a load from Dispatch or decide to leave before the end of you shift, not due to safety concerns, inclement weather or log time reasons.	Assigned ***1 Point*** for leaving before the end of your schedule end time.

I. Holidays

Regular full-time employees (those who have completed their introductory period) are eligible for holiday pay. In order to receive holiday pay, an employee must work all scheduled hours the day before and the day after the holiday. In general, if a holiday falls on Sunday, the following Monday will be recognized as the holiday. If a holiday falls on a Saturday, the previous Friday generally will be recognized as

the holiday. The following are considered paid holidays for eligible employees. Exact days may vary based upon when customers take their holiday.

New Year's Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Friday after Thanksgiving

Christmas Eve

Christmas Day

2 Floating Holidays

FS Transportation reserves the right to reschedule the above listed holidays and to schedule work during any of the holidays. The Company also reserves the right to require employees to work on holidays based on the needs on the business; in such cases, employees will receive normal straight-time pay (and overtime pay, if earned) in addition to holiday pay.

Holiday hours are counted as hours worked in calculating overtime only when the holiday falls at the beginning of the week and displaces hours causing overtime later in the week.

If any company-approved employee leave begins or ends the day before or the day after the holiday, half of the full holiday pay will be paid.

J. Vacation

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation and personal pursuits. Full-time non-exempt (hourly) employees are eligible to earn and use vacation time as described in this policy.

Vacation is earned and taken based on the anniversary date of your employment with FS Transportation. After completion of these service requirements, full-time employees are eligible for the following vacations:

Service Requirements	Allowance
○ After **1** year from employment date:	**1** week
○ After **2** years from employment date:	**2** weeks
○ After **5** years from employment date:	**3** weeks
○ After **10** years from employment date:	**4** weeks

Vacations in the first year are pro-rated:

- Employees will accrue 3 days to use at their 6-month anniversary
- Employees will earn 2 more days to use at their 10-month anniversary
- All 5 days must be used before their one-year anniversary

Vacation earned and awarded on an employee's anniversary date must be taken prior to the next anniversary date. Vacation time does not carry over from one anniversary year into the next.

Example: An employee is hired on 8/15/24. On August 15, 2025, the employee is entitled to one (1) week of paid vacation, which must be taken between 8/15/25 and 8/14/26. On 8/15/26, with two (2) years of service completed, the employee will be awarded two (2) weeks of vacation to be taken before the next anniversary date on Aug. 15, 2027.

Employees awarded one week or more of vacation allowance must use or forfeit a minimum of one (1) week, but may elect to receive pay in lieu of time off for any vacation time in excess of one week. A request to "cash out" earned but unused vacation time in excess of one week, will be considered only if requested. The request must be made a minimum of one week prior to the date the employee wishes to receive the vacation check. Any vacation not used by the employee's anniversary date will be forfeited.

Vacation pay is based on a forty (40) hour week at your base hourly rate of pay (or daily average rate for CDL employees). Every effort will be made to give the weekend off before an employee's vacation commences.

It is the employee's responsibility to confirm their work schedule upon returning from vacation.

If multiple employees request the same week for vacation, vacation will be granted based on required service and staffing objectives. All time off requests must be submitted at least one week in advance to be considered for approval, except in emergency situations.

An employee who resigns from employment voluntarily will be paid out all accrued but unused vacation, provided that the employee satisfies both of the following conditions:

- The employee provides FS Transportation with at least 7 days' advance notice of resignation. This notice must be in writing, must specify the effective date of the employee's resignation, and must be delivered to Human Resources by email or hand-delivery at least 7 days before the effective date. Any employee who does not provide advance notice that meets all of these conditions will forfeit, and will not receive payment for, any accrued but unused vacation, even if the employee has discussed the employee's resignation with another company employee; and

- The employee actively works throughout the entire 7-day notice period, unless otherwise instructed by Human Resources. An employee whom Human Resources instructs, at any time, not to perform work during the notice period will be required to exhaust accrued but unused vacation during the notice period. Any unused vacation remaining after the notice period will be paid in accordance with this policy.

An employee whose employment is terminated involuntarily, who resigns in lieu of involuntary termination, or who fails to provide the notice discussed above, will forfeit all accrued but unused vacation.

For purposes of this policy, "accrued" vacation is limited to vacation earned and available for use as of the employee's last anniversary of employment. FS Transportation does not pay any separating employee for vacation that the employee earned after the employee's last anniversary of employment or that the employee would have been eligible to use following the employee's next employment anniversary.

Vacation time for salaried employees is set on a case-by-case basis.

K. Requested Days Off (RDO)

FS Transportation provides unpaid time off work through its Requested Days Off (RDO) policy.

Employees receive three (6) RDOs on January 1 of each year to use before expiration on December 31. RDOs can be used as follows:

- RDOs can be taken in ½ day (4 hour) or full day (8 hour) increments
- Employees may opt to trade in RDOs for attendance point reduction. 1 RDO (8 hours) is equivalent to .50-point reduction.

RDOs can be used Monday to Sunday as full or partial days off in increments of four hours. Saturday and Sunday requests require 1.5 (12 hours) RDOs each. Employees must obtain approval to use RDOs at least one week in advance unless otherwise approved by senior management. Points will not be applied to full-day RDOs. Half-day RDOs will require an employee to work the balance of his or her shift to avoid a penalty.

Every effort will be made to approve requests equitably among positions and shifts. Multiple factors influence decisions about approving time off, including, but not limited to, business conditions and attendance.

It is the employee's responsibility to know the status of his or her individual RDO balance. This information can be found on our time and attendance web portal.

L. Family and Medical Leave Act

Employees can access the FMLA guidelines by visiting www.dol.org, where detailed information regarding their rights and responsibilities under the Family and Medical Leave Act (FMLA) is available. For additional assistance, employees are encouraged to reach out to the company's Human Resources Manager.

M. Unpaid Medical Leave

If you have any medical condition lasting three (3) or more days in duration, and you have restrictions we cannot accommodate or you must be off work and you provide to the designated member of management an original statement signed by a physician addressing these issues, you will be placed on an unpaid medical

leave. The maximum duration of the medical leave is 52 weeks, unless otherwise provided by law.

During the unpaid medical leave, you are not entitled to any pay or fringe benefits from the Company, unless required by law or other policy of the Company. Your unpaid medical leave will run concurrently with any leave you may be entitled to under the Family and Medical Leave Act or under any other policy, such as the Vacation policy, or disability policy.

After you exhaust any paid time off and/or Family and Medical Leave Act time, you may continue your medical insurance coverage at your own expense by making arrangements to pay the appropriate monthly premium (full cost) in advance each month. Contact the designated member of management for more information.

When you are able to return to work, you must provide to the designated member of management an original signed physician's statement stating that you are able to return to work. The Company reserves the right to require you to be examined by a physician selected by the Company, prior to your resumption of job duties, to the extent permitted by law. Your failure to contact the Company and/or return to work when your medical condition ends will be deemed a voluntary resignation of your employment.

Upon you notifying the Company of your release to return to work and following the Company's receipt of an appropriate physician's statement, you will be considered for open positions that match your qualifications. The Company will attempt to return you to the same or similar position as you held prior to the leave, subject to our staffing and business requirements.

If you are unable to return to work or if there is no open position that matches your qualifications by the end of the 52-week period, your employment will be terminated unless additional time is required by law.

N. Military Family Leave

The state of Indiana allows “eligible” employees up to ten (10) working days of unpaid Military Family Leave (MFL) each year during one or more of the following periods: the 30 days before “active duty” orders are in effect, during a period in which the person ordered to “active duty” is on leave while active-duty orders are in effect, or during the 30 days after the “active duty” orders are terminated. To be “eligible”, an employee must have worked at a company facility with 50 or more employees, have worked for the company for at least 12 months, have worked at least 1,500 hours during the 12-month period immediately preceding the day leave begins, and be the spouse, parent, grandparent, or sibling of a person who is ordered to “active duty.” “Active duty” means full-time service on active-duty orders in the U.S. Armed Forces, the Indiana Army National Guard, or the Indiana Air

National Guard for a period that exceeds 89 consecutive calendar days. Employees granted MFL will be required to exhaust all available paid time off; paid time off will run concurrent with all MFL leaves of absence. Employees on approved MFL will maintain group health insurance coverage, including dependent coverage, on the same terms as if the employee continued working; however, they are responsible for paying their portion of premiums. Upon return from MFL leave as anticipated, employees will be restored to their former positions or an equivalent position, with equivalent status, pay, benefits, and other employment terms.

If you would like to take MFL, you must provide written notice, including a copy of the active-duty orders if available, to the Company of the date the leave will begin. You must give at least 30-days' notice before the date on which you intend to begin the leave, unless the active-duty orders are issued less than 30 days before the date the requested leave is to begin. The Company will require verification of your eligibility for the leave. If any employee fails to provide verification required, the Company may consider the employee's absence from employment unexcused. Eligible employees should request a leave of absence from their direct supervisor and contact the Human Resources Department for advice on how to proceed.

O. Military Leave

If you enter the U.S. Armed Services, a military leave of absence without pay will be granted and your service will be protected in accordance with the applicable laws of the United States.

If you are a member of a reserve component of the Armed Forces, such as the National Guard, you will be granted a military leave of absence without pay to participate in required training, cruises or encampments.

P. Personal Leave

An employee may request a short-term leave of absence for personal reasons. An unpaid personal leave of absence may be granted to an employee after considering the needs of the Company, the possibility of reassignment of work, and the merits and timing of the employee's request. Personal leaves are granted typically for a maximum of one to two days.

If you wish to request a personal leave, please submit your request in writing to the Transportation Manager at least two weeks prior to the needed time off. Time off approval or disapproval will be conveyed to you as soon as possible to allow you to finalize your plans.

For extended approved personal leave, employee must make arrangements to pay health insurance premiums due at the employee rate for the first four weeks, and the employee may be required to elect COBRA continuation coverage in order to remain eligible to participate in the company's group health plan. After four weeks of approved personal leave, employee may continue health insurance coverage at own expense by making arrangements to pay the appropriate monthly premium (full cost) in advance each month.

Q. Bereavement Leave

All regular full-time employees will be given up to three (3) calendar days of bereavement leave, one of which must include the day of the funeral, upon the death of an immediate family member. Immediate family members include spouse; children; stepchildren; parents of employee and employee's spouse; brothers; sisters; brothers/sisters-in-law; grandparents of employee or employee's spouse; and grandchildren. At management discretion, immediate family may also include step-parents of employee and employee's spouse.

Bereavement leave will be paid for the death of a spouse, parent or child of an employee. When the funeral leave is to be an excused absence with or without pay, the employee must bring proof of funeral services and, if requested, proof of relationship to the deceased. Bereavement pay does not count as time worked when calculating overtime.

If you feel you need additional time off or need time off due to the death of someone who is not an immediate family member, please request a personal leave of absence.

R. Jury Leave

We fully support the concept that citizens have an obligation to their community. The community is only effective as a community if people participate in it. If you are called for jury duty and must, therefore, be absent from work, your absence will be excused. You may use any vacation days that you have available (in one-week increments) if you are absent from work for jury duty.

If you are called to serve on a jury, please notify your supervisor as soon as possible so that arrangements can be made to cover your absence.

15. PAY AND BENEFITS

A. Paydays, Pay Periods & Deductions

Pay periods for hourly employees are weekly with payment on Friday for work performed on Monday through Sunday of the prior week. Pay periods for salaried employees are semi-monthly with payment on the 15th and the last day of the month. If the end of the semi-monthly pay period falls on a weekend, payment is on the preceding Friday. If any pay day (hourly or salary) falls on a holiday, payment is on the preceding weekday. All employees are required to utilize direct deposit.

Certain deductions required by law will be made from employees' wages. Mandatory deductions are those required to be made by law or court order. Such deductions include federal and state income tax withholding, Social Security contributions and wage garnishments, if applicable. Voluntary deductions are those authorized in writing by employees, such as employee contributions to health insurance coverage and the 401(k) plan.

If the employment relationship is terminated, for any reason, all company property must be immediately returned.

B. Time Cards & Records

Each employee will be given instructions on how work time is to be recorded. It is your responsibility to notify us if you believe an error was made in your pay. Accurate entries in the time recording system will help ensure you are paid correctly for all time you have worked. Any changes on the time record must be approved by your immediate supervisor or manager. Falsification of time records will result in disciplinary action, up to and including termination.

C. CDL Pay Structure

For CDL pay structure, see separate document provided during training.

D. Pay Advances

The Company does not provide any payroll advances or extend credit to employees.

E. Prohibition against Improper Deductions from the Salary of Exempt Employees

The Company prohibits improper pay deductions from the salaries of exempt employees and considers any deviation from this practice a serious violation of express Company policy. In general, salaries of exempt employees are not subject to reduction because of variations in the quality of work performed or the quantity of work performed. While certain exceptions to this rule exist under federal law (see a member of management if you have any questions about the general rule or need any explanation as to the exceptions to the general rule), in general, an exempt employee will receive his or her full salary for any week in which the employee performs any work. Of course, exempt employees need not be paid for any work week in which they perform no work. Subject to the provisions set forth above, deductions from an exempt employee's salary will not be made for time when work is not available if the employee is ready, willing, and able to work. As a general rule, if an employee who performs work for the Company during the course of a week is absent at other times during the week, when such absences are occasioned by the Company or by the operating requirements of the business, the employee will be paid his or her full salary.

The Company does not have an actual practice of making improper deductions from the salaries of exempt employees. The Company strictly prohibits such a practice. It is the Company's strong desire to pay each employee, exempt or non-exempt, the proper and appropriate pay. If an exempt employee believes that his or her salary has been improperly reduced, a procedure exists for employee complaints. First, the employee should contact his or her supervisor. If the matter has not been resolved to the employee's satisfaction, the employee may contact a member of management. The decision of the appropriate member of management will be final in matters regarding allegations of improper deductions of the salaries of exempt employees.

Any employee who is found to have been subject to improper deductions will be reimbursed by the Company no later than the payday following the date that the determination of the improper deduction was first made. The Company will make good-faith efforts to ensure compliance with the rules concerning deductions from the salaries of exempt employees in the future. Employees who believe that such efforts are not being made are urged to contact a member of management.

F. Health and Life Insurance

All full-time employees are eligible for enrollment in the group health and life insurance plans after they have completed sixty (60) days of employment. Details

regarding coverage, deductibles, and benefits are included in a separate booklet prepared by the insurance provider. Please contact the Human Resource department if you have any questions.

G. Short-Term Disability Plan

All full-time employees who have completed sixty (60) days of service with the Company are covered by FS Transportation' short-term disability policy. This plan provides a portion of your weekly earnings for a maximum of thirteen (13) weeks in the event you are unable to work due to a non-occupational illness or injury. Please see the Summary Plan Description related to FS Transportation's short-term disability policy for more details. Please contact the Human Resource department if you have any questions.

H. 401(k) Plan

FS Transportation offers eligible employees the opportunity to participate in the FS Transportation, LLC 401(k) Profit Sharing Plan and Trust. Eligibility is on the first day of the calendar month following the completion of the employee's introductory period. Please see the Summary Plan Description of the 401(k) Plan for more details. Please contact the Human Resource department if you have any questions.

I. Tuition Reimbursement

Employees may, on their own time, elect to undertake advanced training or course work to better prepare them to perform their assigned duties or to prepare them for promotion. FS Transportation encourages employees to further their education by providing financial assistance for approved educational programs.

Full-time employees are eligible to participate after one year of employment. All requests for tuition reimbursement must be approved in advance and only courses which better prepare employees to perform their assigned duties or prepare them for promotion within the Company will be considered for approval as determined by the Company. An official description of the course and tuition must be provided prior to enrollment. An official grade report must be presented prior to reimbursement. The employee must have a grade of "B" or better in order to receive reimbursement. Tuition reimbursement is limited to the cost of up to two courses (plus approved books and supplies) per semester toward an accredited

two- or four-year college degree or graduate degree program, not to exceed $2,400 per calendar year.

Though the company supports further education, the company is not responsible to make accommodations for the employee's course schedule. If an employee resigns or is terminated from employment, the employee is responsible for reimbursing FS Transportation for any tuition paid by FS Transportation to the employee within two years prior to the employee's termination or resignation date. The company reserves the right to withhold any tuition owed to the company from the employee's final paycheck. Please contact the Human Resource department if you have any questions.

FS Transportation has the sole discretion to decide whether to approve or deny any request for education reimbursement, including whether to provide reimbursement for any particular course and the amount of any reimbursement that the company may choose to approve. No employee should expect reimbursement for any course or amount unless the employee has received written approval from the company, specifying both the approved course and the amount of any approved reimbursement.

16. OTHER POLICIES

A. Non-Union Status

FS Transportation is a non-union employer. Our employees over the years have determined that being non-union is in their best interest, and management strongly supports this view. Our success has always been the result of employees and management working together in a spirit of cooperation and teamwork.

Unfortunately, the efforts of union organizers to sell unionism often have the effect of disrupting teamwork. In trying to convince a group of employees that they need outside representation, union organizers often create dissatisfaction, dissension and distrust among employees whom they are endeavoring to get into the union.

Most employees who have unionized in recent years have found that their unions gained them little or no increase in wages or benefits, and, in fact, ended up costing them money in the areas of union dues and assessments. Also, strikes are a potential threat when an employer unionizes, and such strikes can result in permanent replacement of some striking employees.

If, as an employee at FS Transportation, you are asked to sign a union card, please keep in mind that being unionized may not be in your best interest. Before you sign anything – before you become involved in any situation that could jeopardize the valuable personal relationship we believe you will find here – before you give away your right to speak and act on your own behalf without third party interference – we sincerely hope you read this employee handbook and consider the total job package FS Transportation has presented to you. We believe you will agree that all of the advantages we provide are yours without a union and that you do not need a union to keep them and to continue improving them.

If you have any questions about unionism, get them out in the open so we can discuss them together.

B. Personnel Records

It is important that your personnel records be accurate and up-to-date. All records and information submitted must be truthful and honest. Providing false information or documents to the Company will result in disciplinary action, up to and including termination.

Be sure to notify the Company immediately in writing of any changes in your name, home address, telephone number (home and/or cell), e-mail address, license plate number, auto make/model, marital status, changes in dependents/beneficiaries or emergency contacts.

C. Confidential Information

All information regarding FS Transportation's equipment, products, customers, suppliers, management, etc., is confidential and should be treated as such. Keep this in mind if you are asked any questions by outsiders. Persistent questioners and any representatives of the media should be referred to the President or CFO

D. Social Security Number Privacy

It is the goal of the Company to ensure, to the largest extent possible, that employees' Social Security Numbers are maintained confidentially. Social Security Numbers will not be released to anyone outside the employer, except as required by law. Moreover, Social Security Numbers will be made available internally on a "need to know" basis only.

More than four sequential digits of a Social Security Number will not be included on any document mailed outside the Company, except as required by law, nor will it be publicly displayed in any manner. Social Security Numbers are not to be used as passwords or identifiers for any employer computer system. The Social Security Number will be not used in the ordinary course of business except as the Company may determine that it is necessary to verify an individual's identity, or to administer employee benefits, such as Health Insurance. Any documents that include Social Security Numbers that are discarded are to be shredded. Any violation of this policy will result in discipline up to and including termination of employment.

E. Layoffs

Business circumstances may result in a temporary or permanent reduction in the size of the work force. Making such decisions is not easy. However, the Company will attempt to identify employees who are the most qualified to perform the work available based on qualifications, job knowledge, work habits, productivity, teamwork, attendance and punctuality, general performance record and/or other factors the Company considers relevant in each case.

F. Lawful Conduct

The Company endeavors to abide by all applicable laws and expects you to do the same. You have the responsibility to assist in implementing this policy.

If you become aware of any conduct that you believe is not lawful; you should report it to your supervisor, or to a member of management. If your concern involves a supervisor’s conduct, you should report it directly to a member of management.

When investigation confirms a violation, appropriate corrective action will be taken, up to and including termination of the offender and possible legal action against the offender. Such reports will be treated confidentially and released only to individuals who need to know. The Company will not tolerate any retaliation against any individual who brings a good faith report to the Company’s attention; even if the investigation shows that no violation occurred.

G. Conflicts of Interest

We expect our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Company and the conduct of its affairs.

No employee should subject himself or herself to, or even appear to be subject to, influences, interests or relationships which conflict or may be perceived to conflict with the best business interests of the Company. An employee should avoid any interests, investments, or associations, which interfere, or might be perceived to interfere, with the employee's independent exercise of judgment in the Company's best interest.

Moreover, an employee shall not work for any other business whose business hours conflicts with the Company's business hours, or whose business hours cause the employee to be unprepared for productive work at the Company.

An employee shall not place himself or herself in a position where he or she is, or is perceived to be, a competitor of the Company. An employee shall not profit, directly or indirectly, at the Company's expense.

An employee should never develop a personal relationship with another employee that could lead to either employee compromising the Company's best interests. For example, a supervisor must never engage in any kind of dating, physical, and/or sexual relationship with any employee under his/her supervision. Likewise, an employee must never engage in any kind of dating, physical, and/or sexual relationship with any of the employee's supervisors. While the Company does not prohibit co-workers from dating other co-workers, the Company strongly discourages such relationships given the frequent problems which result from such relationships.

In the event that an employee discovers or determines that he or she has or may have a conflict of interest, full disclosure should be made immediately to the employee's supervisor or a member of management in order to discuss the matter.

All CDL Drivers employed by FS Transportation, LLC who also work for other employer(s) are responsible to inform FS Transportation Management of employment commitments and to keep track of hours worked at FS Transportation and hours worked at their other employer(s) (any compensated work even if it is not commercial driving), to ensure compliance with Hours of Service and company policy.

Following 49 CFR §395.8(j)(2) guidelines, FS Transportation requires any driver working for other employer(s) to complete and turn in a signed Statement of On-Duty Hours Form, which is made available in Dispatch. Drivers are required to document all compensated work during the past 7 days, before driving, in the

Statement of On-Duty Hours form, and turn the form into Dispatch. Drivers will also need to turn in Hours of Service logs, stapled to the Statement of On-Duty Hours Form, for any hours spent operating a commercial vehicle in the past 7 days.

All FS Transportation CDL Drivers will also need to log hours worked at other employer(s) under the Drivers logs in the FS Transportation ELD system. Time can be logged as On-Duty time. All CDL Drivers, even those employed on a part time basis, are required to run ELD logs as a condition of employment. Any exception to this must be approved by management. No exception will exceed the time needed to resolve the issue preventing a CDL Driver from using the company ELD system.

H. Record Creation, Retention and Destruction (A Summary)

The records of the Company are important assets. The Company records include essentially all records you produce as an employee, whether in paper or electronic form. A Company record may be as obvious as a memorandum, an e-mail, a Company standard form or contract, or something not as obvious, such as a computerized desk calendar, an appointment book or an expense record. Examples of Company records include: E-mail: inbox, sent, deleted, drafts, attachments, instant messages and blogs; Sound Recordings: Voice mail, customer service recordings, unified messaging files, voice over internet protocol (VOIP); Word Processing Documents: PowerPoint presentations, Form Contracts, Excel spread sheets, accounting programs, HR record programs; Outlook calendars and address books; Photographs; and Voice Recordings.

The law requires the Company to maintain certain types of records, usually for a specified period of time. Failure to maintain those records for those minimum periods could subject you or the Company to penalties or fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place the Company in contempt of court, or seriously disadvantage the Company in litigation.

The Company expects all employees to comply with all published record creation, retention or destruction policies, provided all employees should note the following general exception to any stated destruction policy schedule: If you believe, or the Company informs you, that the Company records are relevant to litigation or potential litigation (i.e. a dispute that could result in litigation), then you must preserve those records until the Company management determines the records are no longer needed. This general exception should be followed despite any previous or future established destruction schedule for those records. If you believe this general exception may apply to any Company records, or if you have any question regarding if this general exception would apply, please contact the Human Resource Manager.

From time to time the Company may establish record creation, retention or destruction policies or schedules for specific categories of records to ensure numerous Company objectives including: legal compliance; that valuable records are available when needed; and to facilitate the orderly disposal of records that are no longer needed to save the Company time, space and money.

The Company has a “Record Manager Officer”. The Record Manager Officer is responsible for ensuring overall compliance with the Record Creation, Retention and Destruction Policy. Any questions or issues that arise regarding this Policy should be directed to your supervisor or a member of management.

ACKNOWLEDGMENT OF RECEIPT OF EMPLOYEE HANDBOOK

I, _____ (name of employee), certify that I have received the FS Transportation Employee Handbook given to me on _____ (date). I understand that if I have any questions after reading the handbook, I may ask my supervisor or a member of management.

Further, I understand that this handbook is intended for informational purposes only. It does not contain all of the information I will need during the course of my employment. I will receive additional information through various notices as well as orally.

Management is committed to reviewing its policies and benefits continually. Accordingly, the policies and benefits outlined in this handbook are subject to review and change by management at any time.

I understand that all employment relationships with FS Transportation are considered "at will" arrangements and either party is free to terminate the relationship at any time for whatever reason. The "at will" arrangement may not be varied except in a written document signed by an authorized Company representative. The Company does not make express or implied promises of "permanent" employment, and any "contracts" of employment are invalid unless in writing and signed by an authorized Company representative.

This handbook does not constitute a contract or an offer to enter into a contract and nothing in the descriptions contained in this handbook confers any right to continued employment with FS Transportation or to any change in pay or position or to a continuation of described plans or programs either while the employment relationship exists or after the employment relationship ends.

Printed Name of Employee: _____

Signature of Employee: _____

Date: _____