

## **EMPLOYEE CONDUCT GUIDELINES**

**PURPOSE:** To clarify guidelines for employee conduct

Employment with Wehr Constructors is "at will", which means it is subject to termination by either the Company or the employee at any time, for any reason. There are no contractual relationships between the Company and an employee, and letters, benefit or policy statements, performance appraisals, company handbooks or other employee communications should not be interpreted as such. No one has the authority to enter into any oral or written employment contract without the signed explicit written approval of the CEO of Wehr Constructors and no written employment contract will be valid without the signature of the CEO of Wehr Constructors. In order to monitor this "at will" relationship, Wehr Constructors has developed guideline methods to track performance.

**Employee Responsibility** - It is the duty and the responsibility of every employee to be aware of and abide by existing rules and regulations. It is also the responsibility of the employee to perform his/her duties to the best of his/her ability and to the standards as set forth in his/her job description or as otherwise established. Employees are encouraged to take advantage of all learning opportunities available and request additional instruction when needed.

**Management and Supervisory Responsibility** - The supervisor/manager must approach corrective measures in an objective manner. If the employee's performance of assigned task is the issue, the supervisor/manager should generally look to see that proper instructions, appropriate orientation and training have been given, and that the employee is aware of the job expectations. Not only single incidents, but patterns of poor performance should be of concern as it is indicative of overall performance. If misconduct is the issue, the supervisor/manager should take steps to make sure that the employee has been made aware of the company's policies and regulations regarding the infraction. If in either case appropriate instruction or information was not communicated, a plan for such should be immediately developed and reviewed with the employee.

### **EMPLOYEE CONDUCT**

Wehr Constructors supports the use of a process called "progressive discipline" to address conduct issues such as poor work performance or misconduct and to encourage employees to become more productive workers and conform their behavior to standards and expectations. Generally, warnings to employees are used to explain what behavior has been unacceptable. There are two types of warning, verbal and written.

A verbal warning is when a supervisor/manager counsels an employee about an issue of concern. A written record of the discussion noting the date, event, and recommended action is usually placed in the employee's file for future reference.

Written warnings are used for behavior or violations which a supervisor/manager considers serious or where a verbal warning has not helped to change unacceptable behavior. An employee should recognize the grave nature of the written warning.

Whenever an employee has been involved in a disciplinary situation which has not been readily resolved, or when he/she has demonstrated an inability to perform assigned work responsibilities efficiently, the supervisor/manager may place the employee in a Performance Improvement plan. This status will last for a predetermined amount of time not to exceed ninety (90) days, and within this time period, the employee must

demonstrate a willingness and ability to meet and maintain the conduct and/or work requirements as specified by the supervisor/manager and the organization. At the end of the Performance Improvement period, the employee will either be returned to regular employee status, or if established goals are not met, dismissal may occur.

Wehr Constructors reserves the right to administer appropriate disciplinary action for all forms of disruptive and/or inappropriate behavior. Each situation will be dealt with on an individual basis.

Wehr Constructors has established general guidelines to govern the conduct of its employees. No list of rules can include all instances of conduct which can result in discipline and the examples below do not replace sound judgment or common sense behavior. Examples of employee conduct which would lead to discipline and the usual course of disciplines have been separated into four groups, according to the usual severity and impact of the infraction. Different violations may be handled differently depending on the group they are in. On the other hand, Wehr Constructors reserves the right to determine the appropriate level of discipline for any inappropriate conduct, including but not limited to demotion, oral and written warning, suspension with or without pay and discharge. Because of FLSA requirements, exempt employees should not be suspended without pay for less than a week.

### ***Group 1***

1st Offense: Documented verbal warning  
2nd Offense: Documented written warning  
3rd Offense: Three-day suspension  
4th Offense: Termination of employment

1. Creating conflict with co-workers, supervisors, patients, visitors or volunteers.
2. Leaving the facility without their supervisor's permission.
3. Damaging or using company-owned equipment without authorization.
4. Abusing lunch and break periods.
5. Violating other rules or policies not specifically listed.

### ***Group 2***

1st Offense: Written warning  
2nd Offense: Suspension  
3rd Offense: Termination

1. Failing to report injuries, or damage to, or an accident involving company-owned equipment.
2. Violating any safety rule.
3. Negligence.
4. Engaging in vulgar or abusive language or conduct toward others.
5. Quitting early without notification or permission.
6. Being absent for less than three days without notification or permission.
7. Not following department guidelines concerning notification of absenteeism.

### ***Group 3***

1st Offense: Dismissal

Dismissal is an immediate termination of employee for serious breaches of responsibility, unsatisfactory performance or misconduct. Dismissal may be imposed by a supervisor/manager after consultation with the Human Resources Department.

1. Being absent for three or more days without notification or permission (also referred to as a voluntary quit).
2. Fighting.
3. Demonstrating insubordination, including but not limited to:
  - Refusal to do an assigned job.
  - Refusal to work overtime when required.
  - Insolent response to a work order.
4. Being dishonest, including but not limited to deception, fraud, lying, cheating or theft.
5. Sabotaging the facility, grounds or equipment.
6. Falsifying company records, such as employment applications and time cards, in any way.
7. Engaging in indecent behavior.
8. Possessing, being under the influence of or drinking intoxicants on the job.
9. Carrying a weapon on company property, including the parking lot.
10. Disclosing confidential records or information (facility, employee or patient).
11. Soliciting gifts or tips from business-related contracts.
12. Using the facility's computer systems, including accessing confidential computer files and data, without authorization.
13. Demonstrating gross misconduct or other serious violations of Wehr Constructors' policies or procedures.

### ***Absenteeism and Tardiness***

Unscheduled, unexcused absences due to injury or illness, even when following appropriate guidelines, may still be deemed excessive. Discipline for otherwise unexcused tardiness and absenteeism is generally applied as follows: the first two violations result in written warnings; the third, a three-day suspension; and the fourth, dismissal