



Member, United States  
Olympic & Paralympic Committee

**USA Artistic Swimming  
EMPLOYEE HANDBOOK  
Revised 1/9/2020**

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## **I. IMPORTANT INFORMATION ABOUT THE EMPLOYEE HANDBOOK**

THIS HANDBOOK IS DESIGNED TO ACQUAINT EMPLOYEES WITH THE COMPANY AND PROVIDE SOME INFORMATION ABOUT WORKING HERE. THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE EMPLOYEES WITH A SUMMARY OF SOME OF THE COMPANY'S GUIDELINES AND OUR EXPECTATIONS REGARDING YOUR CONDUCT. THIS EDITION SUPERCEDES AND REPLACES ALL PREVIOUSLY ISSUED EDITIONS AND ANY INCONSISTENT VERBAL OR WRITTEN POLICY STATEMENTS ISSUED PRIOR TO THIS HANDBOOK.

EXCEPT AS MAY BE REQUIRED BY STATE LAW, EMPLOYMENT WITH USA Artistic Swimming (USAAS) IS AT-WILL. EMPLOYEES HAVE THE RIGHT TO END THEIR WORK RELATIONSHIP WITH THE COMPANY, WITH OR WITHOUT ADVANCE NOTICE, FOR ANY REASON. THE COMPANY HAS THE SAME RIGHT. THE LANGUAGE USED IN THIS HANDBOOK, ANY BENEFIT PLAN, AND ANY VERBAL STATEMENTS MADE BY MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED; NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION. NO REPRESENTATIVE OF USAAS OTHER THAN THE [PRESIDENT/OWNER/CEO OR HIS OR HER AUTHORIZED REPRESENTATIVE], HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE [PRESIDENT/OWNER/EXECUTIVE DIRECTOR OR HIS OR HER AUTHORIZED REPRESENTATIVE AND THE EMPLOYEE.

NO EMPLOYEE HANDBOOK CAN ANTICIPATE EVERY CIRCUMSTANCE OR QUESTION. AFTER READING THE HANDBOOK, EMPLOYEES WHO HAVE QUESTIONS SHOULD TALK WITH THEIR IMMEDIATE SUPERVISOR OR THE HUMAN RESOURCES DEPARTMENT. IN ADDITION, THE NEED MAY ARISE TO REVISE, DELETE, OR ADD TO THE PROVISIONS IN THIS HANDBOOK. EXCEPT FOR THE AT-WILL NATURE OF THE EMPLOYMENT, THE COMPANY, RESERVES THE RIGHT TO MAKE SUCH CHANGES WITH OR WITHOUT PRIOR NOTICE NO ORAL STATEMENTS OR REPRESENTATIONS CAN CHANGE THE PROVISIONS OF THIS EMPLOYEE HANDBOOK.

## **II. EMPLOYMENT**

### **Equal Employment Opportunity and Unlawful Harassment**

The Company is dedicated to the principles of equal employment opportunity. We prohibit unlawful discrimination against applicants or employees on the basis of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, [insert applicable state protected classes here if desired], or any other status protected by applicable state or local law.

### **ADA and Religious Accommodation**

The Company will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the Company or cause a direct threat to health or safety. The Company will make reasonable accommodation for employees whose work requirements interfere with a religious belief, unless doing so poses undue hardship on the Company.

### **Pregnancy Accommodation**

Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy or the physical recovery from childbirth. If an employee requests an accommodation, the Company will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the Company's business operations.

The Company may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their Human Resources representative [or insert name/contact details for appropriate company representative or department].

The Company will not deny employment opportunities or retaliate against an employee because of an employee's request for a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

Employee will be entitled to a minimum of ten (10) weeks maternity leave or two (2) weeks paternity leave for male employees.

### **EEO Harassment**

The Company strives to maintain a work environment free of unlawful harassment. In doing so, the Company prohibits unlawful harassment because of age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other status protected by applicable state or local law.

Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age 40 and over, race, sex, color, religion, national origin, disability, military status, genetic information, or any other applicable status protected by state or local law will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Written form such as cartoons, e-mails, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including managers, supervisors, co-workers, and non-employees such as customers, clients, vendors, consultants, etc.

## **Sexual Harassment**

Because sexual harassment raises issues that are to some extent unique in comparison to other types of harassment, the Company believes it warrants separate emphasis.

The Company strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct which may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written form, such as cartoons, posters, calendars, notes, letters, e-mails.
- Verbal form, such as comments, jokes, foul or obscene language of a sexual nature, gossiping or questions about another's sex life, or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

## **Complaint Procedure**

If you believe there has been a violation of the EEO policy or harassment based on a protected class, including sexual harassment, please use the following complaint procedure. The Company expects employees to make a timely complaint to enable the Company to investigate and correct any behavior that may be in violation of this policy.

Report the incident to your Manager, CEO who will investigate the matter and take corrective action. Your complaint will be kept as confidential as practicable. If you prefer not to go to either of these individuals with your complaint, you should report the incident to the board President.

The Company prohibits retaliation against an employee for filing a complaint under this policy or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the Company determines that an employee's behavior is in violation of this policy, disciplinary action will be taken, up to and including termination of employment.

## Hiring and Promotions

Recognizing the need to fill available positions with the best qualified people, the organization may recruit from outside as well as consider qualified candidates in the organization.

In considering an employee for promotion, the organization evaluates the individual's experience, training, skills, performance, attendance, and length of service among other factors.

## Job Posting

The Company has established a job posting program to give employees an opportunity to apply for positions for which they are interested and qualified. Vacancies below the senior management level are normally posted on designated bulletin boards at all Company locations. Positions usually are posted for ten workdays.

To be eligible to apply for a posted position, you must meet the minimum hiring specifications for the position, be capable of performing the essential job functions with or without a reasonable accommodation, be an employee in good standing in terms of your overall work record, and generally have been in your current position for a minimum of six months.

You are responsible for monitoring job vacancy notices and completing and filing an in-house application form with the Human Resources Department during the posting period for a specific opening.

You are not required to notify your supervisor when submitting an application for a posted position. However, if you are a finalist for the position, your supervisor is notified prior to the completion of the application process for, among other things, a recommendation. You are informed by the Human Resources Department regarding your application and the status of your candidacy.

### Full-time Employee

an employee normally scheduled to work at least 40 hours per week. Full-time employees are currently **eligible/ineligible except as required by law** for Company benefits.

### Part-time Employee

an employee normally scheduled to work at least 20 hours or less than a 40-hour workweek. Part-time employees are currently **eligible/ineligible except as required by law** for Company benefits.

### Temporary Employee

an employee who is hired in a job established for a temporary period or for a specific assignment. Temporary employees are currently **eligible/ineligible except as required by law** for Company benefits.

### Exempt Employee

an employee who is not eligible for overtime pay.

### Nonexempt Employee

Nonexempt employees are eligible for paid overtime at one and one-half times their regular rate of pay for all hours worked in excess of 40 hours per workweek.

## A. Attendance

Normal office hours are from 8:00 a.m. to 5:00 p.m. Monday through Friday. Prompt and regular attendance is expected. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business. Notification to the office is required if the employee is unable to report at the scheduled starting time.

All employees are expected to be on time and punctual for showing up to work. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business.

Employees who are going to be absent or late must contact their supervisor/manager as soon as possible prior to the start of their shift. Leaving messages with other employees or on voice mail is not acceptable.

Failure to call in when absent for - one, two or three - consecutive days could result in termination.

## B. Personal Information/Change of Address

If the employee changes their name, address, telephone number, marital status, or number of dependents, please inform the Finance Manager. This will help avoid problems with pay, records, benefits and communication.

The organization keeps a personnel file as a record of your employment. It is important for this record to be up-to-date and complete. This enables us to reach you in an emergency, forward your mail, and properly maintain your insurance and other benefits. It also helps keep track of your payroll deductions and many other things that concern you as an employee.

Notify the Finance Manager immediately if you have changes in any of the following areas: Name, residence, telephone, marital status, insurance changes, tax exemptions, person to notify in case of an emergency, and other relevant information.

Additionally, you should notify the Finance Manager if you complete educational or training courses. This information may be considered with your other employment records as job opportunities arise in the organization.

If you want to look at your file or discuss it with someone, contact the Finance Manager.

## Performance Appraisal

Evaluating employee job performance and providing feedback is an important factor in making employment-related decisions. See your supervisor for information regarding our review process.

## Discipline

Occasionally performance or other behavior falls short of our standards and/or expectations. When this occurs, management takes action, which, in its opinion, seems appropriate.

Disciplinary actions can range from an informal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

#### C. Verification of Current Employment

There are instances when verification of employment is required. The information request often includes hire date, salary and status of employment. Because of the confidential nature of this information, all requests, whether verbal or in writing, are to be directed to the CEO.

### **Reference Requests**

Employees who are approached either formally or informally and asked to provide information about former employees of the Company should refer such inquiries to the Human Resources Department. This restriction includes recommendations on social media sites.

#### D. Separation of Employment

Where possible, please give notice as follows:

If you desire to end your employment relationship with the organization, we ask that you notify us as soon as possible of the intended separation. Notice generally allows sufficient time to transfer work, cover shifts, return organization property, review eligibility for continuation of insurance, and make arrangements for your final pay.

Employees who plan to retire are asked to provide sufficient advance notice to the organization so we can timely process any pension forms or other retirement benefits to which an employee may be entitled.

### **Ethics**

Employees at USAAS must be committed to the highest ethical standards in the execution of their duties and responsibilities. If you feel you are being asked to violate organization guidelines, address your concerns with your supervisor or a member of the executive team.

You are expected to report perceived ethical violations. The organization expects employees to make a timely report to enable the organization to investigate and resolve any behavior that may be in violation. Report the incident to your supervisor or a member of the executive team. Your report will be kept as confidential as practicable. The organization prohibits retaliation against an employee for filing a report or for assisting in an investigation.

### III. EMPLOYEE BENEFITS

#### A. Holidays

The office will be closed on the following paid holidays:

January	New Year's Day, Martin Luther King Day
February	President's Day
May	Memorial Day
July	Independence Day
September	Labor Day
November	Thanksgiving Day and day after Thanksgiving
December	Christmas Eve and Christmas Day

Holidays that fall on a Saturday will be observed on the preceding Friday and holidays that fall on a Sunday will be observed on the following Monday.

The office will close at noon the last working day prior to Christmas Eve and reopen the first working day after January 1<sup>st</sup>. As a year-end holiday bonus, full-time employees will be paid for this time off. At the discretion of the CEO, part-time employees may be paid the average of their daily earnings, exclusive of overtime, for the days worked in the four-week period immediately preceding the week in which the Christmas holiday occurs.

#### B. Unlimited vacation policy

The well-being of our people is important to us, and as a natural extension of our flexible working approach, we trust you to manage how much vacation you take and still excel in your role.

##### Policy brief & purpose

Our unlimited vacation company policy allows employees to take as much vacation as they need while continuing to meet performance expectations. Employees need time to rest and enjoy themselves outside work. Putting a cap on this important time doesn't help our effort to achieve high levels of employee satisfaction and productivity.

This policy is based on mutual trust between USA Triathlon and employees. It gives employees opportunities to work or take time off as they see fit, as long as they keep fulfilling their duties. Please remember that we are a team and we all need to accomplish our performance objectives.

This policy applies to full-time employees.

##### Procedure:

Before you make any request for vacation, you should take into account your current responsibilities and what impact this may have on your team and colleagues. We trust you to do this regardless of the duration of absence requested and to only make appropriate requests.

1. Requests will be made and approved in Namely. We ask that you continue to make the requests in the correct categories (i.e. vacation, sick, bereavement, etc.) in Namely so that we can keep accurate calendars and ensure workload is covered.
2. All requests will need supervisor approval. Some requests may require human resources approval as well, including all requests longer than two (2) weeks in duration.
3. Except in unavoidable situations, two-weeks' notice is requested for vacation leave so an employee's workload can be covered.

Supervisors and Human Resources may reject vacation requests for various business-related reasons, including but not limited to:

- Other team members with similar or complementary duties have already asked for leave during or surrounding the time requested
- The time in question is too busy for the department or includes an important deadline for the employee asking for leave.

- The employee is not currently meeting performance objectives or has recently received disciplinary action.
- Business needs require the employee to be present at work during that time.

Both employees and supervisors should use common sense and adhere to company policies when requesting/approving vacation leave. Effective communication between team members is vital to make this policy work for everyone.

This policy is subject to amend or change at the discretion of the organization.

### C. Sick Leave

Sick leave with pay accrues for all full-time employees at the rate of 3.69 hours per pay period, and may not be used until after 90 days of continuous employment.

Sick leave is available only for personal or immediate family (same household, children, parents, grandparents) illness or bereavement. A physician's statement may be required for absences of more than 5 days. The employee must notify the office of illness by 9:00 a.m., if at all possible.

Sick leave without pay may be authorized by the CEO when all accumulated sick leave is used and a physician's statement substantiates the need for extended time.

A maximum of 15 sick days may be carried over into the next fiscal year.

Sick pay will not be used in the calculation of overtime.

Accumulated sick leave is not paid for upon separation of employment.

### D. Leave Without Pay

Leave without pay for reasons of education, etc. is to be determined on an individual basis by the CEO.

## Medical Leave

Should the need arise, the organization provides eligible employees with a leave of absence from work for certain [optional: family and] medical reasons as provided below. Unless federal, state or local law provide otherwise, in order to be eligible for the leave, an employee must have been employed by the organization for at least [insert timeframe: eg. 90 days, 6 months, 12 months] and have worked at least [insert number of hours per week (e.g., 20 hours)].

An eligible employee (female) may take up to 90 days of paid family leave for pregnancy, childbirth, or the physical recovery from childbirth. Male employees may take up to 7 days paid paternity leave. Employees also may take family and medical leave to care for a parent, child or spouse with a serious health condition as those terms are defined under the FMLA, or for the birth, adoption or placement of a child, or to care for a child within the first 12 months of the baby's birth ("baby bonding") Employees should consult human resources to determine how the leave may impact eligibility for benefits and to make arrangements for the payment of any required

premiums. Requests for leave should be submitted to the CEO as soon as the need for the leave is foreseeable. Leave requests will be considered on a case-by-case basis.

Unless otherwise required by law, the following applies to [family and] medical leaves of absence:

Employees who are on approved family and medical leave (non maternity) may be reinstated to a position of like status and pay if such position is available and they are qualified. However, there is no job guarantee.

**All earned vacation and sick leave must be used at the beginning of the leave of absence. Vacation, sick leave, and seniority accrual is suspended until the employee returns from leave. This includes maternity and Paternity Leave.**

Employees returning from medical leave are expected to provide their supervisor with a medical provider's statement attesting to the employee's fitness for work; at its option, the Company may require an examination by a Company-appointed medical provider.

Employees who fail to return at the expiration of their authorized leave may be terminated. If the employee's failure to return is due to pregnancy, childbirth, or the physical recovery from childbirth and/or a disability under the Americans with Disabilities Act or other similar laws, additional accommodations may be provided. Employees must supply sufficient information from their medical provider specifying the basis for the additional leave and when they can return to work with or without reasonable accommodation. Accommodations must not cause undue hardship to the employer. Potential accommodations will be determined in an interactive process between the employee and the Company.

Part time employees are not eligible for medical leave except as required under the law as an accommodation.

Please contact human resources [or insert title of responsible individual] if you have any questions.

### **Military Leave**

Employees granted a military leave of absence are reinstated and paid in accordance with the laws governing veterans' reemployment rights.

Short-term disability will be handled in accordance with applicable federal and state law.

### **Jury Duty**

Jury duty participation is encouraged. The employee will be paid the difference between their regular wages and the rate paid for jury duty for a period of up to 10 days.

The Company recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform his or her duty as a juror. If the employee is excused from jury duty during his or her regular work hours, he or she is expected to report to work promptly. Employees receive regular pay for the first three days of jury duty if they were scheduled to work and they provide confirmation of juror service.

Beginning the fourth day and thereafter, employees, as jurors, are paid \$50.00 per day by the State of Colorado for state, district, or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of ten days (80 hours). Jury duty leave beyond this time is without pay from the organization.

### **Voting**

Voting is an important responsibility we all assume as citizens. We encourage employees to exercise their voting rights in all municipal, state, and federal elections. Under most circumstances, it is possible for employees to vote either before or after work. If it is necessary for employees to arrive late or leave work early to vote in any election, employees should arrange with their **supervisor/manager** no later than the day prior to Election Day.

An employee on a leave of absence in excess of 30 calendar days will not accrue vacation or sick days during the leave of absence.

### **Paydays**

Employees are paid every other Friday. If the regular payday occurs on a holiday, the payday is the last working day prior to the holiday.

On each payday, employees receive a statement showing gross pay, deductions and net pay.

Automatic deductions such as additional tax withholding, contributions to voluntary benefit plans and individual savings plans may be arranged through \_\_\_\_\_.

For the employees' convenience, we offer the option of having their paycheck automatically deposited to their bank account.

### **Overtime**

From time to time, employees may be required to work overtime. In these instances, employees are given as much advance notice as practical. Nonexempt employees are

paid at the rate of one and one-half times their regular hourly rate for hours worked in excess of 80 hours during the established two week pay period. The established pay period begins at 12:00 a.m. midnight on Sunday and ends at 11:59 p.m. on two Saturdays following.

For purposes of calculating overtime payments, only hours actually worked are counted.

### **Pay for Exempt Employees**

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. The Company is committed to complying with salary basis requirements which allows properly authorized deductions.

## **Salary Increases**

In your position at USAAS you may be eligible for salary increases based upon your job performance, your position's location in its salary grade, and other factors.

### **F. Compensation Administration**

We review individual salaries to pay according to the employee's overall job performance, contribution, and responsibilities. Our salary ranges are periodically assessed in order to try to remain competitive with our identified market. Salary increases are not automatic and are awarded only when merited.

### **G. Insurance and Other Benefits**

At minimum 85% of Medical, dental, life, long term and short-term disability insurance is provided for professional and support staff, and 80% of the cost of medical and dental insurance is provided for their spouses and dependent children. Additional benefits may be added at the discretion of the Board of Directors.

403(b) Voluntary Contribution – Employees are eligible to make voluntary contributions to a tax deductible 403(b) retirement plan upon hire.

403(b) and/or Simplified Employee Pension – Full time employees, upon satisfactory completion of 1 year of employment, and part-time employees, upon satisfactory completion of 5 years of employment, become eligible for the USSS employer contribution to a 403(b) or similar plan.

## H. Worker's Compensation

USAAS contributes to the state workers' compensation program. If an employee is injured on the job, they must contact USSS or the Finance Manager to inquire about any benefits to which the employee may be entitled. Report all accidents in writing, no matter how minor, to the Finance Manager as soon as practicable. We want to provide you with prompt medical treatment from one of our designated physicians. Treatment for on-the-job injuries must be obtained from one of these physicians or else you may be responsible for the cost of medical treatment. Prompt reporting of the accident will help us to take steps to reduce the possibility of future accidents.

## I. Educational

Employees may receive release time to attend workshops or courses for academic credit. These classes must be of a professional nature and must enhance the employee's position. Prior approval and details are to be coordinated with the CEO.

## J. Flex Time

If it is deemed necessary for an employee to work hours other than the normal 8 - 5 day, flexible hours may be scheduled at the discretion of the CEO to fulfill these special needs.

## K. Problem Solving

Any employee complaint should be brought forth in writing to the attention of the employee's supervisor or the CEO, when appropriate. The complaint will typically be discussed with the employee within 1 week of receipt by the supervisor or CEO. If the complaint is not resolved at this level, or if it is inappropriate to speak with the supervisor or CEO, the employee may bring the complaint to the President, who will make the final determination.

While an employee is encouraged to report complaints internally, using USAAS's complaint process does not prohibit an employee from filing a complaint with any other appropriate agency.

## L. Computer and Phone Equipment Policy

All computer equipment is the property of USAAS and is to be used only for the business of artistic swimming. The equipment and software are not to be updated or modified in any way without the express consent of the CEO.

Cell phones will be the property of the employee. Employees will be compensated for their cell phone usage and expected to use the device for work correspondence.

## M. Internet and E-mail Policy

Access to the Internet has been provided to staff members during working hours for the benefit of USAAS and its members. Employees accessing the Internet are representing USAAS and communications should be for professional reasons. Each employee is responsible for the content of all text, audio or images that they place or send over the Internet. All messages created, sent or retrieved over the Internet are the property of USAAS, and should be considered public information. The electronic mail system is not to be used to create any offensive or disruptive messages. Employees shall not use a code, access a file or e-mail, or retrieve or read any stored information, unless authorized to do so.

## **Communication Systems**

The Company's computer network, access to Internet, e-mail and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the Company. All information regarding access to the Company's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential Company information and may not be disclosed to non-Company personnel.

All computer files, documents, and software created or stored on the Company's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through Company systems, whether password protected or not. Employees should not assume that any such information is confidential, including e-mail either sent or received.

Computer equipment should not be removed from the Company premises without written approval from a department head. Upon separation of employment, all communication tools should be returned to the Company.

### ***Personal Use of the Internet***

Some employees need to access information through the Internet in order to do their job. Use of the Internet is for business purposes during the time employees are working. Personal use of the Internet should not be on business time, but rather before or after work or during breaks or lunch period.

Regardless, the Company prohibits the display, transmittal, or downloading of material that is in violation of Company guidelines or otherwise is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time.

### ***Software and Copyright***

The Company fully supports copyright laws. Employees may not copy or use any software, images, music, or other intellectual property (such as books or videos) unless the employee has the legal right to do so. Employees must comply with all licenses regulating the use of any software and may not disseminate or copy any such software without authorization. Employees may not use unauthorized copies of software on personal computers housed in Company facilities.

### ***Unauthorized Use***

Employees may not attempt to gain access to another employee's personal file of e-mail messages or send a message under someone else's name without the latter's express permission. Employees are strictly prohibited from using the Company communication systems in ways that management deems to be inappropriate. If you have any question whether your behavior would constitute unauthorized use, contact your immediate supervisor before engaging in such conduct.

### ***E-mail***

E-mail is to be used for business purposes only, during working times.. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail should be brief and sent or received as seldom as possible. The Company prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service through the use of e-mail or anywhere else on Company premises during working times.

Working time does not include breaks or meal periods. Management may monitor e-mail from time to time.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages.

### ***Voice Mail***

The Company voice mail system is intended for transmitting business-related information. Although the Company does not monitor voice messages as a routine matter, the Company reserves the right to access and disclose all messages sent over the voice mail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

### ***Telephones/Cell Phones/Mobile Devices***

Employee work hours are valuable and should be used for business. Excessive personal phone calls can significantly disrupt business operations. Employees should use their break or lunch period for personal phone calls.

Confidential information should not be discussed on a cell phone or via any mobile device. Phones and mobile devices with cameras should not be used in a way that violates other Company guidelines such as, but not limited to, EEO/Sexual Harassment and Confidential Information. Employees' use of a cell phone or mobile device to access company systems is restricted/prohibited without prior authorization. Such access, once authorized, may subject the employee's personal device to discovery requests or Company action. Employees authorized to access Company systems and information using a personal device must immediately inform the Company if the device is lost or stolen.

For safety reasons, employees should avoid the use of cell phones and mobile devices to make calls while driving. Employees must park whenever they need to use a cell phone. Generally, stopping on the shoulder of the road is not acceptable. Employees are prohibited from using a cell phone or other device to text while operating a motor vehicle. Texting is permitted only where the vehicle is at rest and lawfully parked.

The Company telephone lines should not be used for personal long distance calls.

## **III Layoffs**

An employee may be subject to involuntary separation through a layoff. Such separation may be due to factors such as shortage of funds, elimination of position, or lack of work. Layoff decisions will be based on skills, knowledge, and abilities necessary to continue ongoing work. In such cases, affected employees are given as much notice as practical.

## **IV Anti-Violence**

Any action, which in management's opinion is inappropriate to the workplace, will not be tolerated. Such behaviors may include, but are not limited to, physical and/or verbal intimidating, threatening, or violent conduct, vandalism, sabotage, arson, use of weapons, and bullying. Also prohibited is the carrying of weapons onto Company property, regardless of whether the employee possesses a concealed carry permit.

Employees should immediately report any such occurrences to their supervisor or to the Human Resources Department. We will investigate complaints. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

Employees should directly contact law enforcement, security, and/or emergency services if they believe there is an imminent threat to the safety and health of themselves or co-workers.

If you are a victim of domestic violence, please contact Human Resources for assistance.

Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/behaviors and work interference. If you feel are subjected to workplace bullying please contact Human Resources.

## **V Conflicts of Interest**

In making decisions, all employees of USAAS must exercise sound independent judgment. Personal or outside interests or relationships must not influence employees to the detriment of the Company.

Employees must not engage in any activities or relationships, including personal investments, which might directly or indirectly result in a conflict of interest, or impair their independence of judgment. They must not accept gifts, favors, or benefits that might tend in any way to influence them in the performance of their duties.

If employees have any question whether a situation is a conflict of interest, they should discuss the matter with their manager. If there is disagreement, refer the matter to the President for a final determination.

## **VI Data Disposal Policy**

During the course of your employment, the Company will collect certain information that is classified as “personal identifying information,” or PII, under applicable laws. Such information may include, but is not limited to:

- Your first and last name or initials;
- Username(s) and password(s);
- Social security number;
- Driver license or other identification card number;
- Medical documentation;
- Biometric data;
- And more.

The Company may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, the Company will either (a) destroy the records or (b) arrange for their destruction, e.g. by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

## **VII Drugs and Alcohol**

Alert and rational behavior is required for the safe and adequate performance of job duties. Therefore, working after the apparent use of alcohol, a controlled substance, or abuse of any other substance is

prohibited. This includes working after the apparent use of marijuana, regardless of marijuana's legal status.<sup>1</sup> Furthermore, the possession, purchase, or consumption (use), or sale of a controlled substance or alcohol on Company premises or while conducting Company business is prohibited. Alcoholic beverages served in conjunction with an authorized Company event are an exception to this prohibition. Excessive consumption is not acceptable and at no time should an employee drink and drive.

### **Smoking**

It is our objective to provide a smoke-free, tobacco free environment within our Company. This prohibition includes all forms of tobacco and e-cigarettes. Smoking is prohibited within all areas of the building and within 20 feet of the main entrance into the building. This prohibition extends to company-owned vehicles. Employees may smoke in designated outdoor areas. This restriction applies to all employees and visitors, at all times, including non-business hours.

## VIII EMPLOYEE ACKNOWLEDGEMENT

### ACKNOWLEDGMENT OF RECEIPT

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I HAVE RECEIVED A COPY OF THE EMPLOYEE HANDBOOK DATED \_\_\_\_\_. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- EMPLOYMENT WITH USAAS IS AT-WILL. I HAVE THE RIGHT TO END MY WORK RELATIONSHIP WITH THE COMPANY, WITH OR WITHOUT ADVANCE NOTICE FOR ANY REASON. THE COMPANY HAS THE SAME RIGHT.
- THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR A SPECIFIC DURATION.
- THE HANDBOOK IS NOT ALL INCLUSIVE, BUT IS INTENDED TO PROVIDE ME WITH A SUMMARY OF SOME OF THE COMPANY'S GUIDELINES.
- THIS EDITION REPLACES ALL PREVIOUSLY ISSUED HANDBOOKS. THE NEED MAY ARISE TO CHANGE THE GUIDELINES DESCRIBED IN THE HANDBOOK, EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT. THE COMPANY THEREFORE RESERVES THE RIGHT TO INTERPRET THEM OR TO CHANGE THEM WITHOUT PRIOR NOTICE.
- NO REPRESENTATIVE OF USAAS, OTHER THAN THE PRESIDENT OF THE COMPANY, HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE PRESIDENT AND MYSELF. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

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Employee Name

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Date

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