

provisional recruiting

EMPLOYEE HANDBOOK 2019 FOR CONTRACT AND CONTRACT-TO-HIRE EMPLOYEES

STAFFING DIVISIONS

ACCOUNTING
COMMERCIAL
HEALTHCARE
OFFICE
TECHNOLOGY

Welcome

Thank you for choosing Provisional Recruiting! We look forward to a mutually gratifying and rewarding working relationship. Our philosophy is simple; we have two clients: our customers and contract employees. Provisional's success and reputation are built around all contract employees. **We consider employees our greatest asset.**

Our contract employees enjoy variety and flexibility while receiving many benefits typically available only to regularly employed individuals. We care greatly about the special concerns of contract employees and have designed our policies and programs to meet those needs. Employees are encouraged to contact a Provisional Recruiting Manager if guidelines are unclear or if there are questions regarding employment with Provisional.

Provisional Services, Inc.

Table of Contents

General Terms of Employment	6
At-Will Employment	6
Employment Classifications	6
Equal Employment Opportunity Statement	6
Job Assignments	6
Lunch Hour + Breaks.....	7
Overtime	7
Professionalism	7
Commitment to Direct Communication	8
Company Hours	8
When to Call Provisional.....	8
Payroll.....	10
Timecard Submission.....	10
Mailed Paycheck or Direct Deposit.....	10
Lost Paychecks.....	10
Deductions	10
Payroll Concerns.....	10
Employee Information Changes	10
Benefits	12
Holiday Pay	Error! Bookmark not defined.
Paid Time Off.....	12
Insurance + Pension Benefits	12
Special Contract Employee Benefits.....	14
Unpaid Leaves of Absence.....	15
Conduct.....	22
Keys to Success as a Provisional Employee.....	22
Non-Disclosure Agreement	25
Computer + Telecommunications Usage.....	22
Personal Mobile Phones + Other Telecommunications Devices	23
Policy against Sexual Harassment.....	23
Discipline + Discharge.....	32

Safety + Security 33

Accidents + Accident Reports 34

Workplace Violence + Domestic Violence in the Workplace 34

Drug-Free Workplace Policy 36

Traveling in Personal or Company Vehicles 37

Conclusion 38

Provisional Employee Handbook

The purpose of the Provisional Employee handbook is to explicitly outline the employee and employer expectations and to familiarize Provisional employees with general employment policies and benefits. This handbook constitutes a general summary and does not purport to cover all areas of the employment relationship.

The contents of this handbook are not intended to create, or shall be construed as creating, an expressed or implied contract or guarantee for employment for any term or duration. By accepting mutual responsibility to comply with Provisional standards, we at Provisional will enhance the professionalism of our company and its employees.

The personnel policies set forth in this handbook are subject to modification. Provisional reserves the right to modify, revise, delete from, add to, or rescind any or all of the provisions of this handbook from time to time as it deems appropriate, in its sole discretion. Employees are welcome to suggest changes to Provisional's policies, but any variations to policies require advance written approval by Provisional. This handbook supersedes all previous handbooks and policies, written or oral.

Provisional Services, Inc.

General Terms of Employment

At-Will Employment

Employment with Provisional is with the mutual consent of the employee and Provisional. Consequently, both the employee and Provisional have the right to terminate the employment relationship at any time, with or without cause or advanced notice. This employment at-will relationship will remain in effect throughout employment with Provisional unless it is specifically modified by an express written agreement signed by the employee and Provisional Management. This employment at-will relationship may not be modified by any oral or implied agreement.

Employment Classifications

There are different types of employment at Provisional, and you will never pay a fee!

- **Contract Employee**
Provisional hires employees to support or supplement client staffing needs in situations involving employee absences, temporary skill shortages, seasonal workloads, and special projects. Contract jobs can lead to permanent placements.
- **Contract-to-Hire Employee**
Provisional employees work for a client during a trial period during which both the employee and the client consider establishing a permanent employment relationship.
- **Payrolling Employee**
Provisional provides a service called “*payrolling*” which provide longer term contract employees to clients. These employees are recruited and referred by clients and are employed by Provisional on a contract basis. Payrolling jobs can lead to permanent placements.

Equal Employment Opportunity Statement

Provisional believes that every employee has the right to work in surroundings that are free from discrimination. As an employer, Provisional will provide equal employment and advancement opportunities to all persons, regardless of age, sex, religion, marital status, race, creed, color, national origin, sexual orientation, or the presence of any sensory, mental or physical handicap. Provisional will make reasonable accommodations for qualified employees with disabilities, unless doing so will create an undue hardship on Provisional and/or the client, taking into consideration the nature and cost of the accommodation needed, Provisional’s financial resources, and the impact of the needed accommodation on the operation and on other employees and clients. This policy applies to all aspects of the employment relationship from the hiring process through the employment relationship, including promotions, job assignments, compensation, provision or leave, access to benefits, perquisites, discipline, discharge, lay - off, etc.

Job Assignments

Employees of Provisional have the right to turn down any assignment offers. Once an assignment has been accepted, Provisional counts on employees to meet this commitment. Failure to complete a job assignment as agreed upon will be considered a voluntary resignation and may result in ineligibility for future job referrals.

Lunch Hour and Breaks

Employees will generally take a thirty minute to one-hour unpaid lunch period, depending on the nature and duration of the assignment. Employees are not to work more than five hours without having taken at least a half hour off for lunch. The specific timing of the lunch break should be coordinated with the client supervisor, depending on the client's business needs. Employees are also entitled to a ten-minute paid rest break for each four hours worked. Specific timing of paid rest breaks should also be coordinated with the client supervisor.

Overtime

Overtime is paid to all nonexempt employees at the rate of one and a half times the regular rate of pay for all hours worked over forty hours in one workweek. The employee is permitted to work overtime only if approved by the client supervisor. The client supervisor must also approve the employee's timecard to verify the overtime hours.

Professionalism

Employees are representatives of Provisional and are expected to be professional in both attitude and image at all times. Employees are to follow professional and safety dress codes required by the client.

Commitment to Direct Communication

Provisional is convinced that the best and most rewarding working environment results from a direct relationship between management and employees. Provisional accepts responsibility to provide attractive working conditions, pay, and benefits. Employees of Provisional have the right to speak for themselves, and Provisional is committed to listen and respond appropriately.

Company Hours

Business hours are Monday through Friday, 8:00 a.m. to 5:00 p.m. The 24-hour voicemail system is checked every hour during business hours.

When to Call Provisional

Employees should call Provisional regarding a question or problem concerning employment. Provisional's job is to address the employees' problems or concerns. The employee is not to contact client supervisors directly with the following concerns, unless instructed to do so by a Provisional Recruiting Manager.

1. In the event the employee is ill or unable to arrive at an assignment on time, then a Provisional Recruiting Manager and the client must be contacted by telephone at least one (1) hour prior to the start of the shift. For attendance calls made before or after business hours, Provisional's voicemail service is available to leave a detailed message. Reliable and punctual attendance is an essential function of any position with any client.
2. If the employee is absent for two or more days without contacting Provisional and the client as directed above, then the employee will be considered to have abandoned and voluntarily resigned from the assignment.
3. If a client requests that the employee stay beyond the scheduled work time and the employee is unable to do so, then a Provisional Recruiting Manager must be notified in order to arrange a replacement with the client.
4. If the employee submits a late timecard, then a Provisional Recruiting Manager must be notified immediately.
5. If the employee's name, address, phone number or marital and/or dependent status changes for withholding purposes, then Provisional staff must be notified immediately.
6. If a client asks the employee to continue working beyond the original commitment, then a Provisional Recruiting Manager must be notified.
7. If the employee is asked to drive a personal vehicle or a client's vehicle on client business, then the employee must notify Provisional Management immediately. Employees are not to proceed with such tasks without permission from a Provisional Recruiting Manager.
8. If the employee is injured while on the job, then the client and a Provisional Recruiting Manager must be notified immediately.

9. If the employee is unable to complete an assignment for any reason, then a Provisional Recruiting Manager must be notified.
10. If the employee has completed the assignment and is available for a new assignment, then the employee should apply to jobs on the Provisional website.
11. If the assignment is different from the assignment the employee expected or has changed over time, then the employee should notify a Provisional Recruiting Manager.
12. If the employee wishes to end the employment relationship with Provisional, then a Provisional Recruiting Manager must be notified.
13. If the employee is offered or accepts permanent employment with the client, then a Provisional Recruiting Manager must be notified.

Payroll

Pay for all assignments is dependent on the employee timecard. Provisional employees are to utilize the Timecard & Payroll Portal on the Provisional website. All other forms of timecard submissions must be approved by a Provisional Recruiting Manager. It is vital that employees make certain timecards are accurate and turned in on time.

Timecard Submission

A Provisional work week begins at 12:01 a.m. on Monday and ends at midnight on Sunday. In order to receive a paycheck for all hours worked, the employee must submit a timecard no later than the following Monday at 9:00 a.m. Failure to provide a timecard before the deadline will result in a delayed paycheck. **If a timecard is submitted late, the employee must notify a Provisional Recruiting Manager immediately.**

Mailed Paycheck or Direct Deposit

Provisional offers two ways for an employee to receive their weekly paycheck:

1.) Mailed Check - Our payroll department will issue a live check that will be mailed to the mailing address provided by the employee. Paychecks are mailed each Wednesday from our out-of-state Payroll Department. Provisional cannot take responsibility for paychecks in the control of the US Postal Service and cannot determine or guarantee an estimated delivery date.

2.) Direct Deposit – The employee may enroll in our direct deposit option by filling out Provisional’s “Direct Deposit Request Form” and providing the required bank account information. It takes approximately two weeks for the direct deposit to activate once the required paperwork has been filled out by the employee. In the meantime, the employee will receive a live check in the mail. Once direct deposit is activated, the employee will have access to paystub information online. Please contact Provisional to sign up for direct deposit and receive information on accessing online paystubs.

Lost Paychecks

If the employee has not received a paycheck by mail within five (5) business days after mailing, the employee should contact a Provisional Recruiting Manager. If the employee loses a paycheck, a stop payment fee will be deducted from the paycheck in order to reissue a new check. The employee may be responsible for any other applicable charges incurred to issue a stop payment order on the lost check.

Deductions

As an employer, Provisional is required to make payroll deductions for social security, federal income taxes, and all other applicable state and federal taxes, including the employee portion of the industrial insurance premium. Provisional will honor administrative and court orders for garnishment or wage withholding pursuant to state and federal law. Any other deductions may require written authorization.

Payroll Concerns

Any payroll questions or potential problems should be directed to a Provisional Recruiting Manager.

Employee Information Changes

Employees need to notify Provisional immediately of any changes regarding personnel information such as changes in address, phone number, marital status, number of exemptions, etc. Please note that new forms may need to be completed to make changes.

Benefits

At Provisional, our employees are valued and the importance of benefits is recognized. The benefits applicable to contract employees are as follows:

Holiday Pay

Employees of Provisional are eligible for eight (8) hours of holiday pay when one thousand (1000) hours of employment in the twenty-six (26) weeks prior to the holiday is completed. *Employees must work the scheduled day before and after the holiday in order to be eligible for the benefit.* Paid holidays are listed below:

New Year's Day	Labor Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

Note: If the employee is working on a paid holiday, then the employee is still eligible for the holiday pay benefit at straight-time pay rate.

Paid Sick Leave*

Paid Sick Leave Accrual and Availability

Accrual

- Employees accrue one hour of paid sick leave for every 40 hours worked.
- Employees are not entitled to accrue paid sick leave for hours paid while not working (such as vacation, paid holidays, or while using paid sick leave).

Availability

- Employees are entitled to use their accrued, unused paid sick leave beginning on the 90th calendar day after the start of their employment.

Authorized Uses of Paid Sick Leave

Care of the employee or the employee's family member

- Employees may use their accrued, unused paid sick leave hours to care for themselves or a family member (definition below) for:
 - Mental or physical illnesses, injuries, or health conditions;
 - The need for medical diagnosis, care, or treatment of mental or physical illnesses, injuries, or health conditions; or
 - The need for preventive medical care.

- For the use of paid sick leave for an employee’s family member, family member is defined as:
 - A child;
 - Including a biological, adopted, or foster child, stepchild, or a child to whom the employee stands in loco parentis, is a legal guardian, or is a de facto parent, regardless of age or dependency status
 - A parent;
 - Including a biological, adoptive, de facto, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child
 - A spouse;
 - A registered domestic partner;
 - A grandparent;
 - A grandchild; or
 - A sibling.

Closure of the company or the employee’s child’s school or place of care

- Employees may use their accrued, unused paid sick leave when their place of employment has been closed by order of a public official for any health-related reason; or
- When an employee's child's school or place of care has been closed by order of a public official for any health-related reason.
 - Please see the definition of “child” in the previous section.

To address issues related to domestic violence, sexual assault, or stalking

- Employees may use their accrued, unused paid sick leave to:
 - Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee and their family members including, but not limited to: Preparing for, or participating in, any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault, or stalking;
 - Seek treatment by a health care provider for physical or mental injuries caused by domestic violence, sexual assault, or stalking;
 - Attend health care treatment for a victim who is the employee's family member;
 - Obtain, or assist the employee's family member(s) in obtaining, services from: A domestic violence shelter; a rape crisis center; or a social services program for relief from domestic violence, sexual assault, or stalking.
 - Obtain, or assist a family member in obtaining, mental health counseling related to an incident of domestic violence, sexual assault, or stalking in

- which the employee or the employee's family member was a victim of domestic violence, sexual assault, or stalking.
 - Participating, for the employee or for the employee's family member(s), in: safety planning; or temporary or permanent relocation; or other actions to increase the safety from future incidents of domestic violence, sexual assault, or stalking.
- **For purposes of leave related to domestic violence, sexual assault, or stalking, family member has the following definition:**
 - Any individual whose relationship to the employee can be classified as a child, spouse, parent, parent-in-law, grandparent, or person with whom the employee has a dating relationship.

Reasonable Notice for the Use of Paid Sick Leave

Employees must provide reasonable notice of an absence from work for the use of paid sick leave to care for themselves or a family member, or because the employee's child's school or place of care is closed by order of a public official for any health-related reason. Such notice must not interfere with an employee's lawful use of paid sick leave. Any information provided will be kept confidential.

Note: Verification may be required if an employee uses paid sick leave for more than three (3) consecutive days for which the employee was required to work.

Reasonable Notice for Foreseeable Use of Paid Sick Leave

If an employee's absence is foreseeable, the employee must provide notice to a **Provisional Recruiting Manager** at least **5** days, or as early as practicable, before the first day paid sick leave is used.

- If possible, notification should include the expected duration of the absence.

Reasonable Notice for Unforeseeable Use of Paid Sick Leave

If an employee's absence is unforeseeable, the employee must contact a **Provisional Recruiting Manager** as soon as possible before the required start of their shift.

- As a best practice, and if circumstances allow, employees should provide notice as soon as the employee learns of the need for paid sick leave.
- In the event it is not practicable to provide notice of an unforeseeable absence, a person on the employee's behalf may provide such notice.
- If possible, this notification should include the expected duration of the absence.

Reasonable Notice for Use of Paid Sick Leave for Domestic Violence Leave

Reasonable Notice for Foreseeable Use of Paid Sick Leave

An employee must give advance oral or written notice to a **Provisional Recruiting Manager** as soon as possible for the foreseeable use of paid sick leave to address issues related to the employee or the employee's family member being a victim of domestic violence, sexual assault, or stalking.

Reasonable Notice for Unforeseeable Use of Paid Sick Leave

If an employee is unable to give advance notice because of an emergent or unforeseen circumstance related to the employee or the employee's family member being a victim of domestic violence, sexual assault, or stalking, the employee or their designee must give oral or written notice to a **Provisional Recruiting Manager** no later than the end of the first day that the employee takes such leave.

Note: Verification may be required if an employee uses paid sick leave for more than three (3) consecutive days for which the employee was required to work.

Paid Sick Leave Increments of Use

- **Provisional** requires employees to use paid sick leave in increments of **15 minutes**.
-

Rate of Pay for Use of Paid Sick Leave

- Employees must be paid their "normal hourly compensation" for each hour of paid sick leave used.
 - "Normal hourly compensation" is the hourly rate that an employee would have earned for the time during which the employee used paid sick leave.
 - Normal hourly compensation does not include tips, gratuities, service charges, holiday pay, or other premium rates.
- For employees who use paid sick leave for hours that would have been overtime hours if worked, **Provisional** is not required to apply overtime standards to an employee's normal hourly compensation.

Payment for the Use of Paid Sick Leave

- **Provisional** must pay paid sick leave to an employee no later than the payday for the pay period in which the paid sick leave was used by the employee.

Carryover of Accrued, Unused Paid Sick Leave to the Next Year

Carryover Requirements

- Accrued, unused paid sick leave balances of 40 hours or less must carry over to the following year.
 - For example, if an employee has 25 hours of accrued, unused paid sick leave at the end of the year, all 25 hours must carry over to the following year.
- If an employee carries over unused paid sick leave to the following year, accrual of paid sick leave in the subsequent year would be in addition to the hours accrued in the previous year and carried over.
 - **Provisional will require the employee to forfeit the paid sick leave** for paid sick leave balances in excess of 40 hours at the end of a year.

Definition of Year

- The accrual year is January 1 – December 31.

Separation and Reinstatement

Separation

- If an employee separates from employment, there **will not** be financial or other reimbursement to the employee for accrued, unused paid sick leave balances available at the time of separation.

Reinstatement of Paid Sick Leave Hours Upon Rehire

- **Provisional** must reinstate an employee's previously accrued, unused paid sick leave if it rehires an employee within 12 months of separation.
 - **Note:**
 - An employer is not required to reinstate any hours of paid sick leave previously provided to the employee through financial or other reimbursement at the time of separation, as long as the value of the paid sick leave was paid at a rate that was at least equal to the employee's normal hourly compensation for each hour of accrued, unused paid sick leave.
 - If the period of time an employee separates from employment extends into the following year (see definition under "Definition of Year"), an employer is not required to reinstate more than 40 hours of accrued, unused paid sick leave.
- Upon rehire, **Provisional** must provide notification to the employee of the amount of accrued, unused paid sick leave available for use by the employee.

- If an employee is rehired within 12 months of separation, the employee will not be required to wait another 90 calendar days to use their accrued, unused paid sick leave if the employee met that requirement during the previous period of employment.
 - If an employee did not meet the 90-day requirement for the use of paid sick leave prior to separation, the previous period of time the employee worked for **Provisional** will count towards the 90 days for purposes of determining the employee's eligibility to use paid sick leave.

Retaliation Prohibited by Law

- Any discrimination or retaliation against an employee for the lawful exercise of paid sick leave rights is not allowed. **Provisional** will not discriminate or retaliate against an employee for the lawful exercise of Minimum Wage Act rights.
- **Provisional** may not require, as a condition of an employee taking paid sick leave, that the employee search for or find a replacement worker to cover the hours during which the employee is on paid sick leave.
- If an employee feels they are being discriminated or retaliated against for the exercise of their Minimum Wage Act rights, the employee may contact a **Provisional Recruiting Manager**.

Required Notification

Initial Notification of Rights

- At the start of employment **Provisional** will provide employees with notice of their paid sick leave rights. This notice will include information regarding:
 - An employee's entitlement to paid sick leave;
 - The rate at which the employee will accrue paid sick leave;
 - The authorized purposes under which an employee may use paid sick leave; and
 - That retaliation by **Provisional** for the employee's lawful use of paid sick leave and other rights provided under the Minimum Wage Act is prohibited.
- **Provisional** will make this information readily available to all employees.

Ongoing Notification

- At least once a month, **Provisional** will provide notice to its employees of:
 - The total amount of unused paid sick leave available for use by the employee.

Contact Information

- Employees with questions about this paid sick leave policy may contact a **Provisional Recruiting Manager**.

*Due to Washington State Law, this benefit does not apply to Idaho residents working in the State of Idaho. Please talk to your Recruiting Manager if you have questions.

Insurance and Pension Benefits

- **Health Insurance**
Due to the Affordable Care Act (ACA) implementation, Provisional's healthcare insurance benefits have changed. Please ask a Provisional Recruiting Manager for up-to-date details. Provisional is committed to compliance with the law.
 - We will comply with the law, both in letter and in spirit, and are committed to the legal and ethical management of employees to its provisions.
 - We will communicate to our employees both their new opportunities and their new obligations under Provisional and individual mandates.
- **Pension Plan**
Employees are eligible to participate in a 401(k) Plan. The employee must be twenty-one (21) years of age or older and must have worked over 1000 hours within one (1) year of employment. Please contact a Provisional Recruiting Manager for further details.

Special Contract Employee Benefits

- **Credit Union Membership**
Employees are eligible for credit union membership. Please contact a Provisional Recruiting Manager for further details.
- **New Employee Referral Bonus**
Employees will receive a one hundred-dollar (\$100.00) bonus if another individual is referred to Provisional for employment. The individual must specify the name of the referring employee on the Provisional application form. The referred individual must also complete one hundred-sixty (160) hours of employment in any one calendar month within one year after receiving the application for employment. The \$100.00 will be paid upon completion of employment by the individual referred.
- **New Customer Referral Bonus**
When employees tell another business about Provisional's staffing service and the business places their first order with Provisional, the employee is eligible for a \$100.00 bonus. To qualify, the business must give Provisional the employee's name at the time the first order is placed for a minimum of forty (40) hours. The \$100.00 will be paid upon completion of the 40 hours.

Unpaid Leaves of Absence

- **Family Medical Leave****

Employees may be eligible for a leave of absence pursuant to the state and federal Family and Medical Leave Acts. The employee will be covered when: employed in a location with at least fifty (50) employees with-in seventy-five (75) miles; worked at least twelve hundred and fifty (1,250) hours in the past twelve (12) months of employment; and worked for Provisional for at least twelve (12) months, not necessarily consecutive. Eligible employees may apply for up to twelve (12) weeks of unpaid, job-protected leave during a twelve (12) month period for one or more of the following reasons:

1. to care for the employee's child after birth or placement for adoption or foster care;
2. to care for the employee's spouse, child or parent with a serious health condition; or
3. a serious health condition of the employee which makes the employee unable to perform the job.
4. a qualifying exigency arising out of the fact that the spouse, son or daughter, or parent of the employee is on active duty, and has been notified of an impending call, or order to active duty in support of a contingency operation, or
5. to care for a covered service member who is a spouse, son, daughter, parent, or next of kin with a serious injury or illness incurred in or aggravated by service in the line of duty.

A health condition is serious if it requires inpatient care, continued treatment of incapacity of three days or more, subsequent recovery involving two or more treatments by health providers, or at least one treatment which results in a regimen of continuing treatment or incapacity due to pregnancy or chronic disease or permanent or long-term disability. Occasional illness such as colds, flu, upset stomach or headaches are not by themselves covered.

The employee may be required to support a request for leave because of a serious health condition by appropriate certification from the health care provider as to when the condition commenced, probable duration, and other appropriate medical facts. A second opinion may be required at Provisional's expense. In the event of a conflict of opinions, a third opinion may be obtained, also at Provisional's expense. In addition, the employee may be required to provide periodic reports regarding the employee's status and intent to return to work.

An eligible employee is entitled to a total of twelve (12) work weeks of leave during a designated 12-month period. The designated FMLA period is the 12-month period measured forward from the date leave begins. Leave will be provided on an unpaid basis. The employee with any unused paid vacation days may be required to use this time as part of the leave period. The remaining duration of leave will be unpaid.

Employees must give thirty (30) days advance notice to Provisional of the need to take family leave when it is foreseeable (e.g., birth or placement of a child for adoption or for planned medical treatment). When it is not practicable under the circumstances to provide such advance notice,

notice must be given as soon as practicable, ordinarily within one (1) or two (2) business days of when the employee learns of the need for the leave.

When planning medical treatments, employees should consult with the client when giving notice and make reasonable efforts to schedule the leave so as not to unduly disrupt Provisional's operation, subject to the approval of the health care provider.

A request for intermittent leave (for example, a reduced work schedule) as a result of a serious health condition must be supported as medically necessary by a doctor's certification. If the employee requests scheduled, foreseen intermittent leave, Provisional may require the employee to transfer to an available alternative position, with equivalent pay and benefits, for which the employee is qualified, and which better accommodates recurring leave periods.

The employee who takes family leave as provided in this policy will not lose any previously accrued employment benefits, but benefits shall not continue to accrue during the leave.

Provisional will make every effort to reinstate the employee who completes a period of leave to the same position or to a position equivalent in pay, benefits, and other terms and conditions of employment.

When the employee returns from a leave of absence because of personal disability due to illness, injury or pregnancy, the employee may be required to submit a written release from the attending physician. The release must include the permitted date of return to work and state any restrictions on work performance. No guarantee of re-employment is implied by the approval of leave of absence.

For certain of the highest paid ten percent (10%) of Provisional's workforce, reinstatement may be denied if returning the employee to work would cause substantial and grievous economic injury to Provisional. If this exception is to be applied, the employee will be notified and will have the opportunity to immediately return to work.

****Starting in 2020, Washington will be the fifth state in the nation to offer paid family and medical leave (PFML) benefits. This benefit offers partially paid leave to care for yourself or a loved one in times of serious illness or injury, to bond with a new child joining your home through birth, adoption or foster placement, and for certain military-connected events if you have a family member in active duty service.**

As a worker in Washington, you will experience a few changes in 2019. In your first paycheck of 2019, you might notice a new deduction. For example, if your gross wages are \$50,000 per year, you may pay up to about \$2.44 from per week. Employers contribute to this program too, so we're in this together.

In 2020, you will be able to apply for leave when you experience a qualifying event and have worked 820 hours (about 16 hours a week, on average) in the year leading up to your date of leave.

This isn't like paid sick leave; you will file your claim with the Employment Security Department (ESD), and your payment will come from ESD. Typically, you'll have access to up to 12 weeks of paid leave. You can learn more at www.paidleave.wa.gov/workers.

Below is a brief summary of PFML:

What is it?

A new mandatory insurance program that provides Washington paid family & medical leave for eligible employees.

Who is eligible for PFML?

Employees that worked at least 820 hours during the first 4 out of 5 completed calendar quarters, or if eligibility is not established, the last 4 completed quarters immediately before the employee applies for leave.

Who will premiums be withheld from? All employees working in Washington.

How much will be withheld? The total premium withheld will be shared between the employee and employer based on the following calculations:

- o Calculation for Total Premiums: Gross wages x .004 = Total Premium
- o Calculation for employee share of premium: Total Premium x .6333 = Employee Share
- o Calculation for employer share of premium: Total Premium x .3667 = Employer Share

When will premiums start being withheld? January 2019

- **Pregnancy Disability Leave**

The employee medically disabled as a result of pregnancy or childbirth is eligible for an unpaid leave of absence for the period of disability, regardless of duration. Provisional may request medical certification to verify that the individual is incapacitated due to pregnancy or childbirth. The employee with any unused paid vacation days may be required to use this time as part of the leave period. The remaining duration of leave will be unpaid. Benefits normally provided during periods of vacation will be available.

When no longer disabled, the employee is entitled to return to the same or equivalent position, unless this is no longer possible due to business necessity. Provisional may, at its discretion, request for certification or documentation stating a release to return to work from the employee's health care provider.

Employees who have taken pregnancy disability leave may, additionally, be entitled to leave pursuant to the federal and state Family and Medical Leave Acts once pregnancy disability leave ends. Following pregnancy disability and the additional FMLA/WFMLA leave, the employee is entitled to return to the same or equivalent position as explained above.

- **Spousal Leave in Preparation for Relation to the Deployment of a Military Spouse**

The employee who works twenty (20) or more hours per week and is legally married to or in a

registered domestic partnership an individual who is a member of the armed forces, National Guard, or reserves may take up to fifteen (15) days of unpaid leave per deployment in order to prepare for the spouse's deployment or while the spouse is on leave from deployment.

In order to take this leave, the employee must notify Provisional of the spouse or registered domestic partner's impending call or order of active duty within five (5) business days of the time the notice was received. During the leave, the employee may utilize any earned and accrued paid leave available. At the end of the leave period, the employee may return to his or her job or an equivalent position.

- **FMLA Leave for Family of a Member of the Military**

The National Defense Authorization Act provides that a qualifying exigency arising out of the active duty, notification of an impending call, or order to active duty in support of a contingency operation of a spouse, child or parent is a triggering event allowing an otherwise eligible employee to utilize the standard twelve (12) week FMLA leave. The employee in need of this kind of leave should refer to the FMLA/WFML leave policy above.

- **Leave for Family of Injured Member of the Military**

Further, the employee may be eligible for up to twenty-six workweeks within a single twelve-month period, of job protected leave to care for a member of the armed services who has become seriously injured or ill as a result of that service. In order to be eligible for this type of leave, the employee must otherwise be eligible for FMLA leave and must be a spouse, son, daughter, parent, or next of kin of the seriously injured or ill member of the armed services. This leave may be taken all at once or on an intermittent basis. The employee in need of this kind of leave must provide notice of this fact as soon as practical and reasonable to a Provisional Recruiting Manager and client supervisor. Medical certification of the service member's serious illness or injury within a reasonable period of time may also be requested. While on leave, Provisional may require the employee to take all accrued paid leave benefits.

- **Military Service Leave of Absence**

In general, service members must provide advance written or verbal notice to Provisional for all military duty unless giving notice is impossible, unreasonable, or precluded by military necessity. Leave necessitated by duty in the armed forces is protected by the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees requiring leave for military duty, including annual military reserve training or other short-term active military duty may utilize his or her earned vacation benefits while on leave. If the employee has no benefits available or opts not to use those benefits, military leave is considered an unpaid leave of absence. For military service of less than thirty days, health care premium reimbursement coverage continues as if the service member had remained employed. In general, on return from service, health insurance premium reimbursement will be reinstated in accordance with the conditions of this benefit as outlined above.

Once service is completed and where service duration and application for reinstatement are within prescribed timelines, the employee has a right to job restoration and benefits that would have been attained as if the individual had not been absent due to military service or, in some cases, a comparable job. Employees will not be entitled to reinstatement if separation from the service was based on a dishonorable, bad conduct, or other than honorable discharge, a court

martial or order of the President, removal from the military rolls because the individual was AWOL for more than three months, or imprisonment by a civilian court. For specific timeliness as they are set by the federal law, please see the organization's USERRA poster.

Those who apply for membership in, are or have been members of, or are obligated to serve in the military services are to be free from employment discrimination and retaliation. Therefore, an employer may not deny such an individual initial employment, reemployment, retention, promotion, or any benefit of employment based on this status. The U.S. Department of Labor, Veterans Employment and Training Service (VETS) is authorized to investigate and resolve complaints of USERRA violations.

For more information about military leave, benefits while on leave, reinstatement, or the employee's duties regarding these matters, please contact the Office Administrator. For additional information about USERRA and the agency that enforces the Act, please see the USERRA poster on the company's bulletin board.

- **Domestic Violence, Sexual Assault, and Stalking Leave**

The employee may take reasonable leave from work to seek legal or law enforcement assistance, treatment by a health care provider, mental health counseling, services from a shelter or crisis center, or alternative safe living arrangements. The leave may be taken all at once, on an intermittent basis, or on a reduced work schedule. This leave provision applies whether the employee is directly a victim of such violence, or is assisting a spouse, partner, children, parents, grandparents, or parents-in-law having been the victim of these forms of violence. If employees have any questions about this leave or whether it applies to current circumstances, a Provisional Recruiting Manager should be contacted.

Should the employee require such leave, Provisional asks that employees provide advance notice of intent to take leave, up to thirty days, if possible. When advance notice cannot be given because of emergency or unforeseen circumstances related to domestic violence, sexual assault, or stalking, the employee or designated representative should provide notice to Provisional no later than the end of the first day that the employee takes such leave.

Provisional may require the request for leave be supported by verification the employee or a family member is a victim of these crimes and the leave taken was to allow for access to legal or law enforcement assistance, treatment or counseling, or other needed services. The types of information that may provide verification are:

1. a police report;
2. an Order for Protection or other evidence from the court or prosecutor the employee or family member appeared, or is scheduled to appear, in court;
3. documentation from a victim advocate, an attorney, a member of the clergy, or a medical or other professional; or
4. the employee's written statement.

If leave is taken to assist or care for a family member, the familial relationship may be

substantiated by a statement from the employee, a birth certificate, a court document, or other similar documentation.

Once verification is received, Provisional will seek no further information from the employee.

This leave is unpaid. The employee may utilize available paid time off benefits such as vacation and sick leaves during this time. Provisional will continue to provide for the employee's health insurance benefits as if s/he had continued to work while on this type of leave. Thus, if leave is unpaid, the employee will be required to provide for his or her portion of the health and welfare contribution on a monthly basis.

In such cases, the employee should contact Provisional Management to determine how and when the employee portion of the contribution may be made.

Generally, once leave is completed, the employee will be restored to prior or equivalent position. An equivalent position is one having equivalent employment benefits, pay, and other terms and conditions. These provisions may not apply if the individual was employed temporarily by a staffing company or hired directly for a specific term or discrete project.

In general, any information provided will be held confidentially by Provisional. This includes the fact that the employee or family member is a victim of these crimes, the employee has requested or obtained leave, and any written or oral statement, documentation, record, or corroborating evidence provided by the employee. Provisional may disclose the information only if:

1. requested or consented to by the employee;
2. ordered to do so by a court or administrative agency; or
3. otherwise required by applicable federal or state law.

Protection From Retaliation: No employee will suffer any reprisal or retaliation because he or she has been a victim of these crimes, or has requested and/or taken leave pursuant to this policy.

- **Other Leave of Absence**

A leave of absence may be granted for sufficient reason by written request and approval by Provisional.

Each employee's service is critical to providing effective service and thus, Provisional cannot allow an indiscriminate leave of absence. However, Provisional will consider requests for a leave of absence without pay. Each case is different, thus arrangements should be discussed and approved by the Provisional Management.

- **Bereavement Leave**

In case of a death in an immediate family, an employee may receive up to three working days of paid leave. In the event of the death of a member of an immediate family that is more than five hundred miles from the workplace, an employee may receive up to five working days' of paid leave. This time off is intended to be used to attend memorial services as well as to attend to associated family matters. Immediate family includes parents, step-parents, grandparents,

siblings, step-siblings, spouse, in-laws, registered domestic partner, children, step-children, foster-children, or grandchildren.

- **Jury Duty Leave**

Serving on a jury is a fundamental responsibility of citizenship and, unless business necessity requires it, Provisional will not ask that an employee be excused from jury duty. If an employee is serving on a jury, he or she will be paid his or her regular earnings up to a maximum of fourteen (14) days. Employees are expected to work their regular work schedule on days when court is not in session and work the remaining part of their scheduled shift if they are excused from court for two (2) hours or longer.

Conduct

Keys to Success as a Provisional Employee

The following tips will help one be a successful employee at Provisional:

- **Teamwork:** Be willing to work cooperatively with co-workers.
- **Flexibility:** A helpful, flexible attitude is essential. Keep busy and ask for more work when finished with a project. Be flexible to accept new projects as the need occurs.
- **Professionalism:** Dress as a professional. Always maintain a pleasant, professional demeanor at work.
- **Punctuality:** Be on time for work.
- **Dependability:** Follow through with work assignments.
- **Follow Policies:** Comply with all Provisional work place policies and the policies of the client. Any questions or concerns regarding our policies, or any conflicts between the policies of Provisional and a client should be communicated directly to the Provisional Management.

Non-Disclosure Agreement

During the course of employment with clients of Provisional, employees may encounter proprietary or confidential information regarding the client or Provisional. Throughout employment with Provisional and following termination of this employment relationship, all Provisional employees are prohibited by the Uniform Trade Secret Act from disclosure of any of proprietary or confidential information to third parties, except as required by Provisional or federal or state law enforcement agencies.

Such proprietary and confidential information shall include any trade secrets, proprietary information, business plans, customer information, customer lists, financial data, inventions or technology, policies or procedures, research, reports, software, or other types of information about the clients' or Provisional's business developed by the client or Provisional (or by employee on behalf of the client or Provisional). Upon separation of the employment relationship, each employee will return to Provisional all documents, data, software, and any other materials in possession pertaining to the business of clients or of Provisional, or containing confidential information.

Computer and Telecommunications Usage

Employees of Provisional may be given access to various systems, including but not limited to computer hardware, software, internet and email access, cellular telephones, an office based telephone system, and a facsimile system owned and operated by the client in order to conduct business. Accordingly, employees should be aware of, understand and fully comply with the client's policies regarding use of these facilities. All necessary personal communications should be made during breaks or meal periods whenever possible. No personal long distance or toll telephone calls are to be charged to the client or Provisional.

All information stored on the client's systems, including but not limited to computers, networks, voice

mail, email and telephone records, is considered property of that organization. The client may have the right to access and/or monitor employee use of these systems. Based on this fact, employees **have no expectation of privacy in these systems and are urged not to use them for purposes other than the conduct of business.**

Neither client nor Provisional telecommunications systems may be used to solicit or proselytize for commercial ventures, religious, political, or charitable causes, outside organizations, or other non-job-related solicitations. These systems may not be used to create, view, access, transmit, download, display, print, or store offensive, threatening, or disruptive messages. Messages that are considered offensive are any messages containing sexually explicit or obscene language or content or those containing language or content prohibited by Provisional's unlawful harassment policy. Similarly, these systems may not be used to threaten harm against any person or property or to criminally harass or stalk any individual. These systems are not to be utilized to generate chain letters, to post messages to multiple list servers, or for recreational game playing. Further at no time may copyrighted materials, trade secrets, confidential information, or other proprietary information be transferred through these systems without prior authorization of the client and Provisional.

Any employee in violation of this policy may be subject to disciplinary action, up to and including immediate termination of employment.

Personal Mobile Phone and Other Telecommunications Devices

Employees may carry and use personal mobile phones or other telecommunications devices only to the extent such activity does not interfere with client policies, productivity, safety, or morale. Thus, calls and messages should be placed or received only on breaks and meal periods, absent an emergency. Ring settings should be set to silent or turned off to avoid interfering with the work of others. These devices may not be used to create, view, access, transmit, download, display, print, or store offensive, threatening, or disruptive messages while on company premises or while in the course of employment. These devices may not be used for the transfer of copyrighted materials, trade secrets, confidential information, or other proprietary information of this company or those we serve at any time. Any employee in violation of this policy may be subject to disciplinary action, up to and including immediate termination of employment.

Policy against Sexual Harassment

Provisional is committed to providing a workplace that is free from all forms of discrimination, including sexual harassment. Provisional's policy on sexual harassment is part of its overall efforts to provide a workplace free from discrimination, pursuant to local, state and federal laws prohibiting discrimination based on age, race, color, creed/religion, national origin, honorably discharged veteran and military status, marital status, disability, sexual orientation, gender identity, and sex, or any other characteristic that is protected by law. This policy is also part of Provisional's commitment to diversity and inclusion, and a workplace that is free from harassment, disrespect, and divisiveness.

Sexual harassment is prohibited by the Civil Rights Act of 1964, as amended in 1991, and the Washington State Law Against Discrimination.

Policy General Provisions

- This policy applies to all employees, applicants for employment, executives, owners, managers, supervisors, interns and volunteers (whether paid or unpaid), contractors, vendors, customers

and all persons conducting business with Provisional. This policy applies to all persons regardless of their immigration status. In the remainder of this document, the term “employee” refers to this collective group.

- Sexual harassment will not be tolerated. Sexual harassment includes harassment on the basis of sex (including pregnancy, related medical conditions, and breastfeeding), gender identity and expression, sexual orientation, or any other category protected by applicable local, state or federal laws. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to corrective action, up to and including termination.
- Sexual harassment is offensive, is a violation of our policies, can be unlawful, and may subject Provisional to legal liability. Harassers may also be individually subject to liability. Employees who engage in sexual harassment, including owners, executives, managers, and supervisors, will be subject to corrective action for such misconduct. Owners, executives, managers, and supervisors will be subject to corrective action if they fail to take appropriate action when they learn of or observe harassment.
- Provisional has an obligation to investigate and conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise becomes aware of possible sexual harassment occurring. Provisional will keep the complaint and investigation confidential to the extent possible. When sexual harassment is found to have occurred, effective corrective action will be taken. All employees are required to cooperate with any internal investigation of sexual harassment.
- Harassing behavior does not need to be illegal harassment in order for Provisional to take corrective action. Provisional will strive to create a workplace free from disrespect, divisiveness, and inappropriate behavior. Therefore, behavior that could create a harassing environment should the behavior continue or escalate will not be tolerated and will lead to corrective action.
- Retaliation is prohibited: Provisional will not tolerate retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any owner, executive, manager or supervisor who takes retaliatory action against anyone who has reported sexual harassment or who has provided information about possible harassment will be subject to corrective action. Provisional will not tolerate retaliatory harassment by anyone against someone who has reported harassment or who has provided information about possible harassment. Anyone who engages in retaliatory harassment will be subject to corrective action.
- Distribution of policy: This policy must be provided annually to all employees, will be provided to employees upon hire, will be available on Provisional’s intranet site at www.provisional.com, and will be posted at all of Provisional’s locations.

- All employees will receive training on this policy and the policy will be made available in a variety of languages when necessary. There will be no barriers to accessing the policy or participating in enforcement.

Sexual Harassment Definition

Sexual harassment is defined as unwelcome conduct of a sexual nature, or conduct that is because of sex, when:

- 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 (this can happen even if the complaining party is not the intended target of the sexual harassment);
- Such conduct is made either explicitly or implicitly a term or condition of employment; or,
- Submission to or rejection of such conduct is used as the basis for employment decisions.

Sexual harassment can include derogatory comments, jokes, or statements; sexual advances; sexually explicit language or stories; or visual, verbal or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person even when the harassment is not sexual in nature, but rather is because of the person's gender. Sexual harassment can include conduct against a person of the same sex as the harasser.

Any sexually harassing conduct will be addressed under this policy.

Examples of Conduct that is Considered Prohibited Harassment

- Physical conduct, such as rape, attempted rape, sexual assault, attempted sexual assault, pinching, patting, kissing, hugging, grabbing, pressing or intentionally brushing up against another employee's body, poking, or physical intimidation by impeding or blocking someone's movement or invading their space;
- Visual conduct: leering; making sexual gestures; displaying of sexually suggestive objects, pictures, cartoons, posters, screen-savers, or websites.
- Verbal conduct: making or using sexually derogatory comments, epithets, slurs and jokes; verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; derogatory comments related to gender or stereotypical gender roles; subtle or obvious pressure for unwelcome sexual activities; sexually suggestive or obscene letters, notes, emails texts, or invitations; conversations, comments or jokes about a person's sexuality or sexual experience; questions about a person's sexuality or sexual experiences;
- Asking a co-worker on a date multiple times if they decline the first request;
- Verbal abuse or joking concerning a person's gender characteristics such as vocal pitch, facial hair or the size or shape of a person's body, including remarks implying that a male is too feminine, or a woman is too masculine.
- Offering an employment benefit (such as a raise, bonus, promotion, assistance with one's career or better working conditions) in exchange for sexual favors, or threatening an employment

detriment (such as termination, demotion, worse working conditions, or disciplinary action) for an employee's failure to engage in sexual activity.

- Sending sexually related text-messages, videos or messages via social media.
- Physical or verbal abuse concerning an individual's actual sex or the perception of the individual's sex.
- Making or threatening retaliatory action after receiving a negative response to sexual advances.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or the status of being transgender, such as:
 - Interfering with, destroying or damaging a person's workstation, tools or equipment, or other interference with the individual's ability to perform the job;
 - Sabotaging an individual's work;
 - Bullying, yelling or name calling.
- Degrading comments in the form of sex stereotyping, which occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Other actions not listed above could constitute sexual harassment and/or a violation of this policy and be subject to corrective action.

Conduct That Will Not Usually be Considered Sexual Harassment

Compliments on someone's attire or new hairstyle; telling someone, "You look nice."; a single congratulatory pat on the back; a congratulatory hug to someone with whom you are friends and who has expressed acceptance of hugs; or a group of employees joining together after work for a meal or drink, are examples of situations that would not usually be considered to be sexual harassment.

Location and Timing of Behavior

Sexual harassment is not limited to the physical workplace. It can occur during travel, at events sponsored by Provisional, or via phone, email, text, or social media. Such behavior can also occur outside of scheduled work time. Employees who engage in sexually harassing conduct outside of the workplace or outside of work hours will be subject to corrective action.

Employee Responsibilities

- Each individual employee has the responsibility to refrain from sexual harassment in the workplace. The harassing employee will be subject to disciplinary action up to and including termination in accordance with Provisional's disciplinary policy.
- Any employee who believes they have been the target of sexual harassment or witnesses sexual harassment, shall follow Provisional's Reporting Procedure to report the sexual harassment.
- An employee who believes that they have been the target of sexual harassment is encouraged to inform the harassing person that such conduct is unwelcome and offensive and must stop, if they can safely do so. However, this step is not necessary in order for an investigation and corrective action to take place.

- Employee's shall familiarize themselves with this Policy and the Reporting Procedure and attend all required sexual harassment trainings.

Provisional Responsibilities

- Provisional, including owners, executives, managers, and supervisors, are ultimately responsible for maintaining a workplace free from sexual harassment.
- Owners, executives, managers and supervisors must take a harassment complaint or an observed incident of sexual harassment seriously and take prompt action. The parties should be separated to the extent possible, without any negative impact on the complaining party. A report should immediately be made to [the appropriate person or entity who receives and investigates complaints]. All management and supervisory personnel will cooperate with the investigation.
- Managers and supervisors are required to report all complaints that they receive, or any harassment that they observe. This applies even when an employee tells the manager or supervisor about behavior that constitutes sexual harassment but does not want to make a formal complaint, or when the complaining party changes their mind and retracts the complaint.
- Retaliation against those who report sexual harassment or who participate as a witness to a complaint will not be tolerated. If a supervisor or manager sees any retaliation or retaliatory harassment toward an employee, they must report this conduct to [the appropriate person or entity who receives and investigates complaints]. If an owner, executive, supervisor, or manager engages in retaliation, they will be subject to corrective action.
- Owners, executives, managers, and supervisors shall familiarize themselves with this Policy and the Reporting Procedures and attend all sexual harassment training. Owners, executives, managers, and supervisors shall be able to understand and recognize sexual harassment and should be able to provide information and direction to employees regarding sexual harassment, the Policy, and the Reporting Procedures.

Reporting Methods

Reporting sexual harassment is everyone's responsibility. Provisional will not be able to prevent or correct sexual harassment unless it is aware.

1. All employees should report any harassment or behaviors that violate this Policy. Anyone who is an owner, executive, manager, or supervisor can receive a complaint of harassment. Provisional will provide all employees with a complaint form for employees to report and file complaints. However, a complaint of sexual harassment, including a verbal complaint, will still be investigated even if the complaint form is not used.

2. If an employee feels that they are being sexually harassed in violation of this policy by another employee, owner, executive, manager, supervisor, or third-party doing business with Provisional, or witnesses sexual harassment, they are encouraged to immediately contact:
 - a. A Provisional Recruiting Manager at (509)444-8871.
3. Reporting information will be prominently posted in all work locations, in areas where employees gather, and will be available on line at ww.provisional.com. Methods of reporting and this Policy and Reporting Procedures will be distributed and displayed in multiple languages when necessary.

External process

Reporting harassment to employer does not stop an employee from also making a complaint in a different forum. All employees have the right to file a discrimination, harassment, and/or retaliation complaints with outside agencies, such as the Washington State Human Rights Commission (WSHRC) and the United States Equal Employment Opportunity Commission (EEOC). There may also be applicable local laws and agencies. A complaint with WSHRC must be filed within 6 (six) months of the incident of sexual harassment. A complaint with EEOC must be filed within 300 days of the incident.

WSHRC www.hum.wa.gov 1-800-233-3247

EEOC www.eeoc.gov 1-800-669-4000, 1-844-234-5122 (ASL Video Phone)

Retaliation

Retaliation is unlawful under federal, state and local law. The Washington State Law Against Discrimination (RCW 40.60) protects any individual who has engaged in “protected activity”. Protected activity occurs when a person has:

- Made a complaint of sexual harassment, either internally, with an administrative anti-discrimination agency, or filed a lawsuit about harassment;
- Provided information, testified or assisted in a proceeding involving sexual harassment;
- Opposed sexual harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or management of harassment; or
- Reported that another employee has been sexually harassed.

Even if the alleged harassment does not rise to the level of a violation of law or of this Policy, the individual is protected from retaliation if the person engaged in protected activity believed in good faith that the practices were unlawful or a violation of policy. However, those who knowingly make a false complaint of harassment are not protected.

Examples of retaliation include but are not limited to:

- Termination or demotion;
- A decrease in hours for the employee;
- Being given more work, more difficult work, or undesirable tasks;
- Employee isolation;
- Hyper scrutiny by a supervisor or manager;
- Threatening messages sent via social media for reporting;

- Retaliatory harassment by supervisors or managers, or by co-workers when the harassment is reported to or witnessed by a supervisor or manager. Retaliatory harassment can include:
 - Leaving the person out of meetings or work-related events;
 - Refusing to communicate with the person;
 - Spreading rumors about the person;
 - Interacting with the person in a hostile manner that is different from interactions prior to the complaint;
- Disciplinary action based on pretextual reasons;
- Transfer to a less desirable location or;
- Giving a bad reference.

Unlawful retaliation is defined as any action that could discourage an employee from coming forward to make or support a sexual harassment claim. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence for reporting via social media or outside of work hours). Employees will be protected from retaliation and retaliatory harassment from owners, executives, managers, supervisors, and co-workers.

What is Not Retaliation

A negative employment action is not retaliatory merely because it occurs after the employee engages in protected activity. Employees continue to be subject to all job requirements and disciplinary rules after having engaged in such activity. Changes in work duties, job site, or hours due to a legitimate business need are not retaliation.

Contacting Law Enforcement

If the harassing conduct involves or attempts rape, assault, unwanted touching, or confinement, the conduct could be a crime. The victim of such conduct is encouraged to call 911 or the local police department. Unless criminal behavior also occurred against Provisional, Provisional will not contact law enforcement on the victim's behalf without the victim's permission. The decision to do so or not will be left to the victim, but Provisional will support the victim if law enforcement is involved.

Discipline and Discharge

Employees are expected to meet Provisional's standards of work performance, to perform his or her jobs competently, to maintain satisfactory interpersonal relations with clients and co-workers, and to conduct themselves appropriately in the work place. Failure to meet these standards, in the judgment of Management, may result in disciplinary action, up to and including immediate termination of employment.

Although Provisional attempts to work with employees to correct inappropriate behavior, exceptions or deviations from this procedure may occur whenever Provisional deems that circumstances warrant it. Provisional specifically reserves the right to take whatever disciplinary action it deems in its sole discretion to be appropriate, including immediate discharge. It should be remembered that employment with Provisional is at-will. **Accordingly, either the employee or Provisional can terminate the employment relationship at any time, with or without notice or cause.**

An exit interview may be conducted by Provisional with the departing employee. The exit interview may be conducted to clarify the reason for the employee's separation, and to make any necessary arrangements pending the separation from employment.

As noted above, disciplinary concerns arise where performance falls below expected standards. Additionally, such concerns arise where behavior violates the law or company rules and policies. By way of example and not limitation, the following conduct is strictly prohibited and will result in disciplinary action up to and including immediate discharge:

1. Falsifying hours worked on the payroll attendance sheet.
2. Changing the work schedule or taking time off work without prior approval from Provisional.
3. Absence from work without notifying Provisional by 8:00 a.m. or at least one (1) hour before the shift (whichever is earlier).
4. Refusing to follow work instructions.
5. Disregarding safety instructions.
6. Conducting personal business on Provisional's time or using Provisional's equipment or supplies for personal business.
7. Initiating, distributing, posting literature, posters, handbills, petitions or other notices during work time in work areas without authorization.
8. Violation of policy against harassment or any Provisional policy or policy of a client for whom the employee is working.
9. Possession of intoxicating liquors or drugs including, without limitation, marijuana on Provisional premises or a client's premises or reporting to work at Provisional or a client's place of business in consumption of or under the influence of these substances.
10. Any act of violence on Provisional premises or a client's premises.
11. Willful theft or destruction of Provisional property or a client's property.
12. Disclosure of Provisional proprietary or confidential information or that of a client.
13. Possession of firearms or weapons on Provisional premises or in violation of a client's weapons policy.

Safety and Security

Employees must make themselves aware of any applicable safety policies or practices in any workplace to which they are assigned. The safety policies and procedures established by client organizations must be read and adhered to. If there are any questions about these matters, the employee should contact

Provisional as soon as practical. It is Provisional's sincere hope that no employee is ever injured while on assignment. By following these basic safety rules, each employee is taking an active role in ensuring his or her own safety and avoiding injuries. Employees should always:

1. Make sure instructions are received on how to perform duties properly and safely.
2. Follow all safety rules of the client.
3. Know where the first aid station is located and how to evacuate the building in case of an emergency.
4. Report all unsafe conditions or injuries to the on-site supervisor and a Provisional Recruiting Manager.
5. Use approved lifting techniques.
6. Read any applicable Material Safety Data Sheets (MSDS) before beginning work. If chemicals or solvents are used at an assigned workplace, employees must make sure they know how to handle them properly.
7. Use proper equipment or ask for assistance to reach for objects and avoid standing on office furniture, such as chairs or desks.
8. Keep drawers and cabinets closed to avoid tipping or tripping hazards.
9. Walk, do not run.
10. Always watch your step.
11. Hold any handrails while using steps.
12. Open doors slowly.
13. Avoid obstructing walkways.
14. Use good posture, adjusting chairs and position if necessary.
15. Use breaks as time for proper stretching.

Accidents and Accident Reports

If the employee should sustain an injury while on the job, the client and Provisional must be notified **immediately**. The client supervisor will evaluate the injury, arrange for any appropriate first aid, conduct any necessary investigation, and contact any required emergency contacts.

Workplace Violence and Domestic Violence in the Workplace

Provisional has a zero-tolerance policy towards acts of workplace violence. Therefore, Provisional will not tolerate threats, threatening behavior, harassment, stalking, or any other acts of violence against any of

its employees, or any other person on Provisional and client premises by anyone, including members of the public and an employee's family or household members. Assault, battery, and domestic violence are criminal activities and it is Provisional's policy that arrest is presumed the most appropriate response.

Any individual who makes threats, stalks, displays threatening behavior, or commits violent acts on Provisional's property/client's property shall be removed from the premises as quickly as safety permits, and law enforcement will be immediately contacted. Provisional will respond to the behavior based on the needs of the affected employees and in a manner that protects all employees and eliminates the threat of further such acts, to the extent possible. Response by Provisional may include but is not limited to: obtaining a restraining order, altering the affected employee's work schedule or providing him or her with needed time off, and providing referrals to local domestic violence services. Additionally, Provisional may suspend and/or terminate any type of business relationship with the person responsible for the behavior or immediately carry out disciplinary action up to and including termination of employment where the responsible individual is an employee of Provisional.

Acts of violence include, but are not limited to, the following:

- Physically harming another;
- Shoving;
- Pushing;
- Harassing;
- Intimidating;
- Coercing;
- Fighting;
- Possession of any type of weapon on Provisional/Client premises, including parking facilities;
- Unwelcome name-calling and/or obscene language directed at another individual;
- Threats or talk of any such activities.

Employees shall assist Provisional in maintaining a violence-free workplace by reporting warning signs or incidents of violent behavior to Provisional immediately. All reports will be investigated and kept strictly confidential.

Warning signs of violence may include, but are not limited to, the following:

- Verbal, nonverbal or written threats or intimidation;
- Irrational beliefs and ideas;
- Fascination with weaponry and/or acts of violence;
- Expressions of a plan to hurt himself or others;
- Externalization of blame;
- Unreciprocated romantic obsession;
- Taking up too much of supervisor's time with behavior or performance problems;
- Fear reaction among co-workers/clients;
- Drastic change in belief systems;
- Displays of unwarranted anger;
- New or increased source of stress at home or work;
- Inability to take criticism;
- Feelings of being victimized;
- Intoxication from alcohol or other substances;

- Expressions of hopelessness or heightened anxiety;
- Productivity and/or attendance problems;
- Violence towards inanimate objects;
- Steals or sabotages projects or equipment;
- Lack of concern for the safety of others.

Employees are responsible for making this report regardless of the relationship between the individual who initiated the behavior and the person(s) who were threatened or were the focus of the threatening behavior. The employee should report the threat to their Client Supervisor and their Provisional Manager. All employees who apply for or obtain a protective order or restraining order which lists the Client and/or Provisional premises as being a protected area, shall provide his/her supervisor with a copy of the petition and declarations used to seek the order, a copy of the temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent. Provisional understands the sensitivity of the information requested and all information will be kept confidential. Failure to report such a protective or restraining order may result in danger to co-workers and those utilizing Provisional's services. Therefore, such failure may result in disciplinary action, up to and including immediate termination of employment.

Drug-Free Workplace Policy

Provisional intends to provide a healthy work environment free of the harmful effects of drugs or substance abuse, through our Drug Free Workplace Policy. This policy requires the compliance of all employees with the following rules:

1. Employees shall not manufacture, distribute, transfer, dispense, purchase, possess, use, be in consumption or under the influence of any illegal drug, including without limitation, marijuana, while working, while on our property or the client's property, or while operating company vehicles or at any event we sponsor or is sponsored by a client.
2. Employees shall not distribute, possess, use, be in consumption or under the influence of alcohol while working, while on our property or a client's property, while operating our vehicles or at any event sponsored by Provisional or a client where alcohol is prohibited.
3. If the employee is convicted of violating a criminal drug law for acts committed while engaged in Provisional's business, this must be reported to a Provisional Recruiting Manager no later than five (5) days after the conviction.

Violation of these rules will result in disciplinary action up to and including immediate termination or employment and may have additional legal consequences for the individual. Additionally, where the employee is found to be in consumption of or under the influence of alcohol or drugs (including marijuana) at work, we reserve the right to require assessment, testing, and compliance with prescribed treatment and performance standards as a condition of employment or re-employment, in keeping with state and federal law and our Substance Abuse Policy. Voluntary efforts by the employee to seek professional help for a problem are encouraged.

Please refer to the company's Substance Abuse policy for further details. Additionally, clients may require compliance with own company drug free workplace programs. Employees working on these sites may be required to comply with both sets of policies.

Traveling in Personal or Company Vehicles

Employees are not authorized to perform work for clients that involves travel of any type, including without limitation, the performance of errands, deliveries, or any other travel from worksite to worksite. This includes travel by the employee's own or the client's vehicles, or by any carrier such as vans, busses, airplanes, trains, or boats. Travel by client--sponsored car pool to another worksite, or any other travel, must be pre-approved by the employee's Provisional Recruiting Manager in writing. If a client require that the employee operate a personal vehicle or the client's vehicle at any time during the work assignment, then the client should immediately be referred to a Provisional Recruiting Manager. **Do not proceed without permission from a Provisional Recruiting Manager.**

Conclusion

This handbook, as previously stated, was written to acquaint the employee with Provisional's general policies and work practices. This handbook contains statements of general policy subject to modification at any time; it does not contain promises of specific treatment in specific situations, nor does it change or modify the employee's at-will status. Whenever the employee has a question concerning a policy or work practice, consult with a Provisional Recruiting Manager.

Provisional Services, Inc.

