

# *Employee Handbook*

Engineers Construction, Inc.  
AC Paving Corporation  
ECI Directional Drilling, Inc.  
ECI Rail Constructors, Inc.

“We consider our employees to be the strength of our Company. Therefore, we strive to provide our employees with a productive work environment.”

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**Engineers Construction, Inc., AC Paving Corporation  
ECI Directional Drilling, Inc., ECI Rail Constructors, Inc.**

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# **Engineers Construction, Inc., AC Paving Corporation ECI Directional Drilling, Inc., ECI Rail Constructors, Inc.**

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## **ABOUT YOUR HANDBOOK**

This Handbook is intended to present the policies and procedures and to summarize the benefits at Engineers Construction, Inc., AC Paving Corporation, ECI Directional Drilling, Inc. and ECI Rail Constructors, Inc. (hereafter referred to as "ECI"). ECI reserves the right to modify, terminate, or change any or all such policies, procedures and benefits at any time, with or without notice, at its sole discretion.

**The information in this Handbook is general in nature and the language used is not intended to create, nor is to be construed to constitute, a contract of employment. ECI is an at-will employer and employment is for no definite period. Either the employee or ECI may terminate the employment relationship at any time, for any reason, with or without cause or notice. This at-will relationship can only be changed in writing, signed by the employee and an Owner.**

The policies contained in this Handbook supersede any and all prior handbooks and personnel policies. All such prior handbooks and policies are no longer in effect.

Employees should see the Administrative Manager with any questions regarding these policies.

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## **PHILOSOPHY**

ECI is in business to provide its clients with quality work and excellent service at a fair price. Everyone's job performance is important for us to reach this goal.

Therefore,

- We expect our employees to work hard, to do their jobs to the very best of their ability, and to always try to improve.
- Teamwork, leadership, communication, and continual skill improvements are essential.
- Safety needs to be integrated into all aspects of our work to provide a safe working environment for our workers and to protect the public.
- All employees need to look and behave professionally. Jobsites need to be clean and organized. All workers should treat each other, our clients, and the public with respect.
- Equipment must be kept in top condition. Each employee must maintain and care for equipment assigned to the employee as if his/her job depended upon it.

## **HISTORY OF THE COMPANIES**

**Engineers Construction, Inc., AC Paving Corp., ECI Directional Drilling, Inc. and ECI Rail Constructors, Inc.** together form a full service general construction firm. Engineer's Construction was established in 1965, AC Paving in 1973, ECI Directional Drilling in 2000, and most recently, ECI Rail Constructors in 2006. We are based in Williston, Vermont. We specialize in underground utilities, site-work, railroad construction, cellular sites, waterfront structures, bridges, shore protection, paving, concrete construction, directional drilling and auger boring. Since inception, we have completed over 12,000 projects. Our service range is typically throughout New England and northern New York. Occasionally, we venture even further depending on the type of work and the client.

**A.C. Paving Corporation**, our sister company, performs all aspects of asphalt paving.

**ECI Directional Drilling, Inc.** offers a wide range of directional drilling and auger boring capabilities.

**ECI Rail Constructors, Inc.**, offers all types of railroad construction.

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**ECI CODE OF CONDUCT**

- Strive to maintain a positive and professional image of ECI to our employees, our clients, vendors, subcontractors, and the public.
- Speak and act supportively of ECI, as a company, and of our workers.
- Be prompt – Start on Time (work, appointments, projects, etc.)
- Don't over-promise or under-deliver
- Respect the Property of Others
- Work to VOSHA, OSHA, & ECI safety standards
- Work in an environmentally conscientious manner.
- Drive safely, defensively, and courteously.
- Maintain cleanliness and condition of vehicles and equipment.
- Maintain respectful behavior whenever one is working, driving a company vehicle, or wearing the company logo. You are always representing this company.
- Strive for restraint, discretion, and integrity
- Maintain confidentiality of insider information learned about ECI or about our clients.
- Promote the CODE.

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## EMPLOYMENT TYPES

- **Full Time Employee** is an employee who usually works a minimum of 40 hours per week, year round or seasonably laid off.
- **Part Time Employee** is an employee who regularly works less than 40 hours per week year round.
- **Temporary Employee** is an employee who works less than 1000 hours annually.

## BENEFITS

All actively working full-time employees (working over 1,000 hours per year) are eligible for benefits based on the waiting period shown on Recap of Employee Benefits page (see page 10). Union employees will be covered by Union Benefits, therefore the following Health Dental, Short-Term Disability and Life Insurance and the Retirement Programs will not apply to Union employees.

Below is a summary of our benefits. The office will give you more detailed information about these benefits at the time you become eligible.

Employees should review the pertinent ECI summary plan documents for a full explanation of coverage. Should any question ever arise about the nature and extent of any of these benefits, the plan documents (and not the informal wording of this handbook) will govern. Benefits may be changed from time to time at the discretion of the Company. Employees will be notified of these changes.

### Health Insurance

ECI offers all full-time employees the opportunity to participate in our Group health insurance. The employee and employer each pay a portion of the cost. Employees are eligible to enroll the first of the month following three months of employment. There is also an open enrollment period on January 1<sup>st</sup> each year. If an employee chooses not to sign up when hired, they can join at this time. While on active payroll, premiums are withheld pre-tax from payroll.

If an employee goes on leave or seasonal layoff, they will be billed for their portion (while on leave or layoff) on a monthly basis. Payments will be due monthly. We have the right to terminate insurance if payments are not paid when due.

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## **Dental Insurance**

ECI also offers all full-time employees the opportunity to participate in our Group dental insurance. This insurance is voluntary (paid 100% by the employee) if chosen. Employees are eligible to enroll anytime after the first of the month following three months of employment. Like with health insurance, premiums are withheld pre-tax from payroll. If an employee goes on leave or seasonal layoff, 100% of the cost of premiums will be billed to you and payment is due on a monthly basis, subject to termination of insurance for non-payment of premiums.

## **Short-Term Disability and Life Insurance**

**Coverage is paid IN FULL on behalf of the employees by the company. This is at NO EXPENSE to you, the employee.** As long as you remain considered a full time employee and work at least 1000 hours annually, you will remain on this plan.

**For employees on winter seasonal layoff, your Short-Term Disability coverage is cancelled while you are on layoff and reactivated immediately when you return; however, your Life and Accidental Death/Dismemberment DOES remain in effect throughout your layoff period. The cancellation of the Short-Term coverage is not our choice, it is an insurance regulation.**

For newly hired employees of ECI, there is a 90 day waiting period. Once your 90 day waiting period is met; if you meet the requirements listed above, you are automatically enrolled. If anyone has any questions, please see the Administrative Manager at anytime. The life insurance benefit is \$25,000.00.

## **Retirement Savings Program**

The company has a 401(k) Profit Sharing Plan for eligible employees. The Plan consists of three components: Employer Profit Sharing; Employer Safe Harbor; and Employee 401(k). All three components are designed to enable eligible employees to accumulate retirement savings.

Plan Eligibility- Non Union employees that have attained age 20½, and have completed a Year of Service with the company are eligible to participate in the Plan. A Year of Service is defined as 12 months of employment with more than 1,000 hours of service with the company.

Participation Dates: Eligible employees begin participating as of January 1<sup>st</sup> or July 1<sup>st</sup> following their completion of the Plan's eligibility requirements.



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**Benefit Payments-** Distributions from the Profit Sharing portion of the Plan are processed as soon as possible following the end of the plan year in which you terminate employment, retire, become disabled or deceased. Distributions from the Employer Safe Harbor and Employee 401(k) portions of the Plan can be processed immediately following termination of employment.

**In-Service Distributions-** The Plan permits participants that have attained age 59½ to withdraw funds from the Employee 401(k) accounts while still employed by the Employer.

**Taxability of Distributions-** Benefit Payments and In-service Distributions that are not rolled to an IRA or to another qualified retirement Plan are subject to mandatory 20% Federal and applicable state income tax withholding, and are subject to an additional 10% excise tax if you have not attained age 59½.

Contact the Plan Administrator for further details or to obtain information on the contribution types.

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**RECAP OF EMPLOYEE BENEFITS**

<u>Benefit</u>	<u>Employment Types</u>	<u>Waiting Period</u>
Health Insurance	Full Time with over 1000 hours per year	1 <sup>st</sup> of month following 90 days of continuous service
Dental Insurance	Full Time with over 1000 hours per year	1 <sup>st</sup> of month following 90 days of continuous service
Life Insurance/ Accidental Death & Dismemberment	Full Time with over 1000 hours per year	1 <sup>st</sup> of month following 90 days of continuous service
Short Term Disability	Full Time with over 1000 hours per year	1 <sup>st</sup> of month following 90 days of continuous service
Profit Sharing SafeHarbor 401(k)	Full Time with over 1000 hours per year and who are at least 20½ years of age	January 1 <sup>st</sup> or July 1st after 1 year of service
Safety Toe Boots Allowance	Full Time (40 hrs/wk)	6 months
Accrued Time Off	Full Time (40 hrs/wk)	None
Holidays	Full Time (40 hrs/wk)	None
Bereavement Leave	Full Time (40 hrs/wk)	None
Military Leave	Full Time (40 hrs/wk)	None

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**TAKING TIME OFF**

**Accrued Time Off (ATO)**

All full-time employees receive Accrued Time Off (ATO) upon their first day of employment. ATO gives you the flexibility to choose how you use your time off. You may use it for any combination of vacation, personal illness, illness of a family member, or personal time.

Time off is accrued according to the hours you worked and how long you have worked for the Company. You only accrue ATO during the periods that you are working and are on active payroll. ATO is based on hours paid each week up to 40 hours per week. You do not accrue time off on overtime.

**How Much Accrued Time Off (ATO) Will You Earn:**

<b>Years at the Company</b>	<b>Time Accrued Per Hour Paid (up to 40 Hours Per Week)</b>	<b>Maximum Total Hours Per Year</b>	<b>Weeks Per Year</b>
0 - 1 Yr	.0195/hr	40	1
1 Yr. – 5 yrs.	.039 / hr.	80	2
5 yrs. +	.058 / hr.	120	3

**Saving and/or Converting ATO hours:**

ATO may be saved (carried over) up to a maximum of 60 hours from one calendar year into the following calendar year. Any ATO hours (over 60) from the previous year, that have not been used by April 30<sup>th</sup> of the following year, will be forfeited.

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## **How To Schedule Time Off:**

All requests for planned time off must be requested and approved by your Division Manager. You must ask for time off in writing on a Time Off Request form at least 4 weeks before you want to take time off. You will be informed within one week from the time you turn in your request if your request has been granted.

If you need to use your ATO for a personal day, you must request it as soon as possible. For illness, please notify the company before start time.

## **Summer Vacations:**

Because our work is seasonal, and most of it is done from May through November, summer vacations are limited. All requests must be approved by your Division Manager.

1. You must ask in writing at least 4 weeks in advance.
2. All requests are based on seniority.
3. For employees with less than 15 years of service, no more than one week of planned ATO can be taken between May 1 and November 15.
4. For employees with 15 years of service or more, no more than two weeks of planned ATO may be scheduled between May 1 and November 15.

## **Holidays**

Paid holidays for full-time active employees are as follows:

- New Year's Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday after Thanksgiving (only for those full-time employees who worked Veteran's Day)
- Christmas

You must work on (or have approved vacation time for) the day both before and after a holiday to receive the holiday pay.

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## **Jury Duty/Witness Appearance**

Employees must submit notice of jury duty to their supervisor as soon as it is received so that work schedules may be adjusted. If you are called for jury duty, you will be excused from work for that part of the day required for jury service or witness appearance. You will receive your regular daily rate of pay, minus any amount you receive for your service as a juror or witness. The hours spent serving as a juror will not be included in hours worked for the purpose of calculating overtime hours. However, you do accrue ATO for those hours served. You must bring a receipt of your court payment to the Administrative Manager before you receive your pay as described above.

## **Service As A Witness**

Employees absent due to a duly issued and served Summons to Appear as a witness in a civil or criminal proceeding in Vermont shall be entitled to wages as if working. Contact the office for details.

## **Bereavement Leave**

Employees may receive one day of paid leave in the event of the death of an immediate family member. Immediate family includes mother, father, mother-in-law, father-in-law, spouse, domestic partner, children, brother, sister, brother-in-law, sister-in-law, grandparents, stepparents, and stepchildren.

## **Military Leave**

Employees who require absence from work because of service in the Uniformed Services will be provided with reemployment rights in accordance with the provisions of the federal Uniformed Services Employment and Reemployment Act and Vermont's law regarding leave for reserve training. Service in the Uniformed Services means the performance of duty on a voluntary or involuntary basis in the Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the Commissioned Corps of the Public Health Service and any other category of persons designated by the President in time of war or national emergency. The period for which a person is absent for the purpose of an examination to determine the fitness of the employee to perform any such duty is also covered.

The employee requesting leave must give advance written or verbal notice to ECI of the obligation or intention to perform service.

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Upon completion of a period of service, the employee must notify ECI of his or her intent to return to work by reporting or submitting an application for reemployment within the required time period set forth in the Uniformed Services Employment and Reemployment Act. The time period for providing notice varies depending on the length of service.

Employees may use ATO time (if available) to make up the difference in the military pay earned and their normal base pay.

## **Family and Medical Leave Policy**

ECI provides employees with time off to take care of family and medical issues consistent with the federal Family Medical Leave Act ("FMLA") and Vermont's Parental and Family Leave law ("VPFL").

### **Provisions**

#### **A. Long Term Family Medical Leave**

A "long term" family or medical leave of absence is defined as an unpaid leave of absence of up to 12 weeks during the 12-month period measured forward from the date the employee's leave begins. Subject to the definitions and requirements provided in the FMLA and the VPFL, eligible employees may request and may take up to 12 weeks of unpaid time off each year for the following reasons:

- For the birth and subsequent care of a newborn child;
- For placement of a child for adoption or foster care;
- To care for a spouse, child, parent or parent-in-law ("immediate family") with a serious health condition; or
- For a serious health condition rendering the employee unable to perform the functions of the employee's job.

#### **B. Short Term Family Leave**

"Short term" family leave is defined as unpaid leave not to exceed four hours in any 30-day period and not to exceed 24 hours during the 12-month period measured forward from the date the leave begins. Subject to the definitions and requirements provided in the VPFL, eligible employees may request and may take up to twenty-four (24) hours of unpaid time off each year for the following reasons:

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- To participate in preschool or school activities directly related to the academic educational advancement of the employee's child, such as a parent-teacher conference;
- To attend or to accompany the employee's immediate family to routine medical or dental appointments;
- To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being;
- To respond to a medical emergency involving the employee's immediate family.

## **Eligibility**

To be eligible for FMLA benefits, an employee must:

- have worked for ECI for at least 12 months; and
- for long-term leave, have worked at least 1,250 hours during the 12-month period immediately preceding the beginning of the leave.
- for short-term leave, have worked an average of at least 30 hours per week during the 12-month period immediately preceding the beginning of the leave.

## **Paid Leave**

Employees may choose to receive pay during periods of unpaid leave by utilizing their ATO hours (if available) according to ECI policy during any long or short-term leave.

## **C. Long Term Medical Leave of Absence**

Employees will give reasonable notice of their intent to take leave to their supervisor. ECI requires that notice be given in writing to your Division Manager.

If leave is foreseeable, employees should provide a 30 day notice before the leave is to begin. Employees are expected to consult with their manager and make reasonable efforts to schedule foreseeable leave so as not to unduly disrupt ECI operations. If employees do not give the desired thirty days notice for foreseeable leave, ECI may delay the taking of the leave. Notice must be given as soon as practicable when leave is not foreseeable.

## **Medical Certification**

Employee must provide medical certification to support the leave request. Periodic reports of the employee's status may be required during the leave period.

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## **Benefits Coverage During Leave (Long-Term)**

During family or medical leave, benefits such as health, life and short-term disability insurance will be continued at the level and under the same conditions as if the employee were still at work. Employee will be billed monthly for their 50% share of premium as stated in our health insurance policy.

In the event an employee elects not to return to work upon completion of a family or medical leave, ECI may recover from the employee the cost of any payments made to maintain the employee's coverage.

## **Job Restoration (Long-Term)**

With some exceptions, employees will return to their original job, or to an equivalent position upon completion of the leave with equivalent pay, benefits and other terms and conditions of employment existing on the day leave begins as long as such benefits are still provided by ECI. Restoration may be delayed to an employee who fails to provide any required return to work information from their health care provider.

## **OTHER POLICIES**

### **Safety Toe Boots**

After 6 months of continuous employment, the Company will reimburse employees up to \$70 annually (receipt must be provided) for the purchase of approved safety toe boots.

### **Company Credit Cards**

A company credit card may be assigned to you and is only authorized for company related purchases. The company credit card may NOT, under any circumstances, be used to make personal purchases. All receipts for company purchases must be turned in weekly with your time card.

### **Personal Use of Company Equipment**

At the discretion of management, use of company equipment may be authorized (billed at prevailing rates less 10%) for personal use on your personal projects. (This does not include work you may be doing for others). All equipment must be returned in equal or better condition.



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## **Employee Purchases for Personal Use**

Employee purchases shall not be charged to a company account or company credit card under any circumstances.

## **Company Vehicles**

Company assigned vehicles are authorized to transport the assigned user to and from their home to the jobsite and/or office. Vehicles may not be used for personal use. All applicable motor vehicle rules and regulations must be adhered to. Texting is prohibited while operating/driving company equipment/vehicles.

## **Overnight Lodging**

Overnight lodging will be paid by the company (at its discretion) for actual lodging expenses incurred (excluding personal expenses) in the event of:

- A) The job site being greater than 60 miles from company headquarters. No overnight lodging is to be provided if the employee lives closer than 60 miles from the job site.
- B) The request of the Project Manager.

## **Per Diem**

Employees working out of town receive \$35 per diem (intended to offset personal expenses) for each **night** they stay out of town. (For example, if you go to a job out of town on a Monday and return back on a Friday evening, employees are entitled to \$140 in per diem monies for Monday through Thursday night.)

## **Driver Fines**

Drivers will be personally responsible for fines imposed for which they have control over. Some examples of these would be: speeding, knowingly traveling on wrong roads and/or lanes, and weight in excess of posted limits, etc.

## **HOW THE COMPANY WORKS**

### **Hours of Work**

Your hours of work will depend on the construction schedule and where you work in the Company. You may be required to work overtime, nights and/or weekends. Your supervisor will discuss your schedule with you.

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Breaks and lunch periods will be scheduled by your supervisor.

## Overtime

The company work week is from Sunday to Saturday. Overtime will be paid to all non-exempt (hourly) employees at one and one-half times their hourly rate for all hours in excess of 40 hours worked per week. Sundays, days absent from the job for paid holidays, ATO, bereavement leave, etc., will not be counted toward the standard 40 hour work week for purposes of computing overtime pay. Railroad Flagging and Union labor agreements may supercede this policy. The following shows a breakdown of rates of pay:

### Rates of Pay (in-town)

<u>Non Emergency</u> (excludes plowing)	<u>Up to 40 hours</u>	<u>Over 40 hours</u>
Monday-Saturday	Straight Time	Time & One-Half
Sunday/Company Holidays	Double Time	Double Time
 <u>Emergency</u> (during non-working/non-scheduled hours)		
Monday-Saturday	Time & One-Half	Time & One-Half
Sunday/Company Holidays	Double Time	Double Time
 <u>Plowing/Salting</u>		
Monday-Saturday	Straight Time	Time & One-Half
Sunday/Company Holidays	Time & One-Half	Time & One-Half

### Overnight Rate Differential

\$2.00 for every hour worked will be paid as an overnight rate differential during authorized per diem periods. (Excludes: prevailing rate and union pay scale projects, union employees, railroad flaggers and out of town residents working within 60 miles of their residence.)

### Time Cards

Your time must be recorded each day on a time card. If you have any questions about your time, be sure to discuss them with your supervisor. Your time card must match the hours reported on your supervisor's daily report. Time cards are to be

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submitted to your Supervisor. Supervisors are to submit time cards to Accounting by 9AM Monday each week.

## **Attendance**

### General Policy

All employees are hired to fill specific needs of ECI, and the unexpected absence of any employee at any given time can result in a disruption of our operations and may often place an unusual burden on other employees who must handle the duties of the absent employee. For this reason, all employees are expected to be punctual and to report for work every day they are scheduled. It is your responsibility to keep absences to the lowest number and shortest duration possible.

### Notification

You must call your supervisor no later than the time you are scheduled to start work. If your supervisor is not available, you must contact the next manager in line. You should inform your supervisor when you expect to return to work.

Failure to properly notify ECI of your absence will result in an unexcused absence. Employees who are absent without proper notification for three days in a row, will be considered to have voluntarily resigned. Your conduct in connection with this policy is a reflection of your work attitude.

## **Pay Day**

Pay checks will be distributed after 6:30 a.m. every Friday for hours worked the previous pay period. If you would like your paycheck mailed, please advise the Accounting Office.

If you are unable to pick up your check in person, you must notify the office that someone else will be picking up your check. No checks will be released to any individual other than the employee, without the employee's authorization.

## **Direct Deposit**

You may also have your check directly deposited into your savings or checking account. We strongly suggest this for employees located outside of the Williston, VT, area. If you would like to do this, please contact the Accounting Office.

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## **Drug and Alcohol Use**

ECI is committed to providing a safe work place that is free from the effects of alcohol and illegal drugs. All our employees are required to be drug and alcohol free while on the job. When applicable, drug testing is to be done in accordance with our Drug and Alcohol Testing Policy.

## **Commercial Driver's License**

A Commercial Driver's License is required for certain vehicles (truck/trailer combinations) in excess of 26,000 lbs. in accordance with the Federal Motor Carrier Safety Administration. All employees assigned to drive such vehicles must have the appropriate Commercial Driver's License and applicable endorsements. Should your license be suspended or removed, you must report to the Safety Director immediately. Failure to report may result in discipline, up to and including discharge.

The company Safety Director is responsible for checking licenses annually. These will be checked when a driver returns from winter lay-off, before being permitted to return to work. For drivers who work all year, licenses will be checked in March.

## **Driving Record**

All drivers must have a good driving record. A Department of Motor Vehicle check will be done on each employee who is responsible for driving. Motor vehicle checks may also be done randomly to make sure we are complying with standards required by the CDL regulations.

Drivers shall immediately inform the Safety Director of any of the following events:

- Any traffic violations while operating a company vehicle.
- Status change to your driver's license.
- Any medical restrictions affecting the driver's ability to operate a motor vehicle.

## **Driving Accidents/Incidents**

It is the driver's responsibility to immediately report any driving accidents including incidents that have caused damage to property or vehicles to the Safety Director on the appropriate accident reporting form.

## **Personnel Records**

All personnel records are kept in the office. An employee may request to see his/her own file, upon request to the office.

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The office must have a complete employment record for each employee. This includes:

- complete application form
- driver information, if required
- recognition & awards
- withholding tax form
- performance & safety items
- other relevant documents

It is your responsibility to give this information to the office. You must also inform the office of any changes in address, phone numbers, beneficiaries, and dependents, etc.

This company has a policy of not giving recommendations but will confirm your employment, level or position held, and dates of employment.

## **Smoking Policy**

The Company strongly discourages smoking at the work place. Smoking is not permitted in buildings, worksite trailers, in the vicinity of fueling areas, in any area which a fire or other hazard exists or where smoking is prohibited by local fire marshal or other law.

All employees are entitled to work in a smoke-free environment. Any concerns about smoking should be brought to your supervisor.

## **Workers' Compensation**

You are covered by worker's compensation insurance for job-related illness, accidental injury or death. The total cost of this insurance is paid by ECI.

If you become ill or injured as a result of your job, you must report this to your supervisor immediately and an Incident Report must be filled out and submitted to the Safety Director. If your illness or injury requires medical attention, you will be seen by ECI's occupational health physician. The physician will refer you to a specialist if that is necessary.

If you are out of work for a covered illness or injury for more than three days, you are eligible to receive Workers' Compensation benefits. These benefits are based on your wages earned over the previous 12 weeks and are paid at 66-2/3 percent of your average earnings.

ECI is committed to bringing employees back to work as soon as possible. We shall work with you to develop a light duty assignment if necessary to help you return to work.

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## **SAFETY MATTERS**

ECI is very concerned about safety. Each new employee will be given a briefing on ECI's safety program during orientation. A complete description of the safety program is given in the ECI Corporate Safety Manual which is available from all Foreman, Superintendants, Division Managers and the Safety Director.

Every employee is responsible for following all OSHA and company safety rules. There are no exceptions or excuses for not following safety rules. Not following safety rules may result in disciplinary action up to and including termination.

We encourage and welcome our employees to make suggestions about safety either directly to their manager, supervisor or to the Safety Director.

Each field employee is expected to attend the Friday morning safety meeting unless assigned to an out-of-town project or a project requiring an early start.

## **EMPLOYEE RELATIONS**

ECI is a community of people working together. Like any community, it is necessary to have certain rules relating to conduct and behavior that make for a productive and smoothly running organization.

### **Problem Solving**

From time to time, all employees have questions and concerns about their jobs. If you should have any such concerns, you may speak to your supervisor at any time. If for any reason you feel that you can't speak directly with that person about your questions or concern, you may raise the issue with the next level of management.

Employees are responsible for supporting open communication and safe working conditions, raising issues as they occur and providing recommended solutions. All employees are expected to use individual accountability and initiative in performing all aspects of their work efforts.

### **Non-Discrimination/Anti-Harassment**

ECI is firmly committed to prohibiting discrimination throughout the employment process against individuals because of race, color, sex, sexual orientation, age,

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religion, national origin, ancestry, place of birth, service in the Uniformed Services or against qualified individuals with disabilities, or any other legally protected status. Any complaints or charges of discrimination made by an employee should be referred immediately to the Owners or appropriate designees. Retaliation against an employee for reporting or making a charge of discrimination or for cooperating in an investigation of a charge of discrimination is also prohibited. All questions regarding company policy and practice in this area should be directed to the Owners.

## **Anti-Harassment**

ECI's policy is that all employees are entitled to a workplace free of discrimination, including harassment based on any of the above factors. ECI will not tolerate such conduct at the workplace. If an employee believes that he or she has been subjected to such discrimination or harassment, the reporting procedure outlined below for complaints of sexual harassment should be followed.

## **Sexual Harassment**

ECI prohibits sexual harassment of its employees. Sexual harassment is unlawful under state and federal statutes. ECI is committed to providing a workplace free from this unlawful conduct.

### **Definition of "Sexual Harassment"**

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- submission to that conduct is made either explicitly or implicitly a term or condition of employment; or
- submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or
- the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

- unwelcome sexual advances
- suggestive or lewd remarks

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- unwanted hugs, touches, kisses
- requests for sexual favors
- pornographic posters, cartoons or drawings
- unwelcome sexual jokes and banter
- retaliating for complaining against sexual harassment

Retaliation against an employee for reporting sexual harassment or for cooperating in an investigation of a complaint of sexual harassment is unlawful. It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action which affects the working environment of any person involved in the complaint or investigation. Employees who believe they are being retaliated against should follow the complaint procedure outlined below.

## **Complaint Procedure**

ECI is committed, and required by law, to take action when it learns of potential sexual harassment. Any employee who feels that he or she has been the victim of sexual harassment should contact his or her immediate supervisor. Every supervisor is responsible to promptly respond to or report a complaint of sexual harassment. ECI will take all necessary steps to ensure that the matter is promptly investigated and addressed. Any employee who has been found to have harassed another employee will be subject to disciplinary action, ranging from a verbal warning up to and including termination.

Although employees are encouraged to file their complaint of sexual harassment through ECI's complaint procedure, the following agencies also process complaints of sexual harassment:

- 1) Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, Tel: (802) 828-3171 (voice/TDD).
- 2) Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, Tel: (617) 565-3200(voice), (617) 565-3204 (TDD).

Both of these agencies can conduct impartial investigations, facilitate conciliation, and if they find that there is probable cause to believe sexual harassment occurred, they may take the case to court.

## **WHEN YOU LEAVE**

### **At-Will Employment**



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ECI is an at-will employer. All employees are employed for an indefinite term. The employee can leave at any time and may be terminated from employment at any time, with or without cause, for any reason. In order to promote a smooth transition, employees who resign are encouraged to give a minimum of two weeks notice by communicating their intention to their supervisor.

The Administrative Department will review your employee benefit coverage and/or conversion privileges so you know when company-provided coverage terminates and what opportunities are available for benefit continuation.

## **What About Benefits**

The following applies if your termination occurs after you have become eligible for benefits.

### **Medical Insurance (COBRA)**

You may continue your medical benefits at your own expense. You will receive a letter telling you about how you can do this. If you have any questions, please feel free to ask in the office.

### **Life Insurance and Accidental/Death or Disability Insurance**

This insurance ends on your last day of work.

### **Retirement Savings Program**

See page 8 for details.

## **RE-EMPLOYMENT**

Those former employees who resigned in good standing may be considered for reemployment. Those former employees who left without adequate notice or who were discharged for cause, will generally not be considered for re-employment. **Any employee who is rehired, will be considered a new employee for purposes of benefits.**

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**ACKNOWLEDGMENT OF RECEIPT**

I acknowledge that I have received ECI's Employee Handbook dated April 23, 2010. I understand that this Handbook supersedes any and all prior handbooks and personnel policies and those prior handbooks and policies are no longer in effect. I further acknowledge that ECI reserves the right to add to, change or discontinue any aspect of its salary and benefits program, policies or procedures, in whole or in part, at any time, with or without notice.

I understand that the contents of this handbook are presented as a matter of information only. I also understand that the language used in this handbook is not intended to create, nor is it to be construed to constitute, a contract of employment between me and ECI. I also understand that my employment is for no definite period and that I or ECI may terminate my employment at any time, with or without cause, or previous notice, and without regard to the time and manner or payment of my wage or salary.

**I understand that Engineers Construction, Inc., A C Paving Corporation, ECI Directional Drilling, Inc. and ECI Rail Constructors, Inc. are all termination-at-will employers.**

DATE: \_\_\_\_\_

\_\_\_\_\_  
PRINTED EMPLOYEE NAME

\_\_\_\_\_  
EMPLOYEE SIGNATURE