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Locally Owned and Operated

Employee Handbook & AWAIR Program

last revised 3/8/23

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KEY CONTACT PEOPLE

Insurance Company:

Name: Federated Mutual Insurance Company

Mailing Address: P.O. Box 328

City, State, Zip: Owatonna, MN 55060

Phone Number: 1-888-333-4949

State Workers Compensation Division

Name: State of MN, Work Comp Section-Admin. Hearing Office

Mailing Address: 100 Washington Sq., Ste 1700, 100 Washington Ave. S

City, State, Zip: Minneapolis, MN 55401

Phone Number: 612-341-7600

**Union Construction Workers Compensation Program

Name: Wilson McShane

Mailing Address: 3001 Metro Drive, Suite 500

City, State, Zip: Bloomington, MN 55425

Phone Number: 952-851-5943

WORKERS' COMPENSATION/WORK RELATED INJURIES

All work-related injuries **MUST** be reported immediately to a Manager/Supervisor. The appropriate state specific **FIRST REPORT OF INJURY FORMS** should be completed within 3 **days** of the incident by the office manager or immediate supervisor. You can find information on our website www.legacymech.net/employees password: 1351
If necessary or emergency, appropriate medical attention should be sought immediately with the closest urgent care.

In House:

Todd Sentyrz-Owner, CEO, Project Manager	952-641-6658 612-248-7416
Jim Turpin-President, Senior Project Manager	952-641-6651 612-708-9401
Jen Espinoza-Senior Draft Designer	952-641-6656 952-239-0726
Rob Silker -Shop Foreman	952-641-6657 952-693-8830
Derrick Pelant-Service Sales	952-641-6655 651-329-6629
Ashley Morrison- HR Operations Manager	612-866-1351 952-239-3272
Troy McCormack - Service Dispatch Manager	952-641-6652 612-900-8623
John Meyer-Estimator	612-968-4305
Max Rissanen-Estimator	320-309-6851
Yakelyn Morales- Administrator	952-641-6659 612-866-1351
Corey Bauer-Pipefitter Construction Manager	952-641-6654 612-248-7411
Nate Savage-Sheetmetal Construction Manager	952-641-6653 320-250-5253

ACCIDENT/INCIDENT INVESTIGATION POLICY

To help prevent the recurrence of accidents/incidents, it is the policy of Legacy Companies, Inc. to investigate all accidents that result in worker injuries that require medical attention and any reported incident where no injuries are involved.

The supervisor(s) in charge at the time of the accident/incident shall:

- Start the investigation as soon as possible after the accident/incident occurs.
- Prepare mentally to be impartial throughout the investigation.
- Interview the victim(s) alone as soon as possible after they are out of danger.
- Interview all other witnesses individually (one at a time, away from other witnesses).
- Get as much detail as possible from victim(s) and witnesses.
- Carefully inspect the scene for evidence. Take photographs or videotape where appropriate.
- Study all possible causes. Consider the possibility that both unsafe acts and/or unsafe conditions may have contributed to the accident/incident.
- Write a narrative style report. Include:
 - Date, time and location of accident/incident.
 - A detailed description of the accident/incident.
 - If applicable, the number of workers injured, type of injuries, weather conditions, lighting, substance abuse, fatigue, etc.
 - All obvious contributing factors.
 - All other possible contributing factors; and
 - Strategy for preventing recurrence.
- If more than one supervisor conducted an investigation, compare draft reports and work out the details so that all investigators agree on the final report.
- Implement recurrence prevention strategies immediately.

POLICY STATEMENT, AWAIR PROGRAM RULES & RESPONSIBILITIES

It is the policy of Legacy Companies, Inc. to provide a safe and healthful work environment for each of its workers. Each employee in this company, from top management to field personnel, shall strive for zero job site injuries and illnesses.

Safety Committee Members:

Todd Sentyrz

Ashley Morrison

The safety committee will meet regularly, and employees will need to complete *Tool Box Talks* when conducted to do so.

For everyone in the company:

- All employees must always follow all safety rules
- Employees must promptly report any safety and health hazards they observe to their supervisor or safety committee
- An employee's first priority is to perform each job task safely. If an employee is unsure how to perform the task safely, he or she must consult with their supervisor or safety committee.
- Employees must report all accidents, including near misses to their supervisor immediately upon occurrence
- Employees must attend and participate in all required safety training sessions
- Employees must not report to work under the influence of alcohol or drugs
- Employees must not have alcohol or illegal drugs in their possession

For the safety committee:

- The safety committee must discuss any current safety issues with all employees at the beginning of all scheduled safety meetings
- The safety committee should address all safety concerns raised by staff members by initially investigating the issue, determining if the concern is valid and taking appropriate corrective action whenever necessary. Corrective action can include ordering new equipment, issuing maintenance work orders, etc.
- Immediately upon learning of an accident or near miss, the safety committee must initiate an investigation and submit the completed accident investigation report
- The safety committee will conduct regular meetings and area inspections to review accident reports, identify hazards and address any and all safety concerns raised by employees
- The safety committee will review the AWAIR program and make recommendations concerning updates and revisions to the program
- The safety committee will communicate to all employees the importance of workers safety and health throughout the organization
- The safety committee will provide personal protective equipment as required
- The safety committee will implement the company's disciplinary action policy
- The safety committee will encourage worker participation in establishing company safe work practices
- The safety committee will obey all established safe work rules
- The safety committee will not report to work under the influence of drugs or alcohol
- The safety committee will not have alcohol or illegal drugs in their possession

DRIVER'S POLICY AND MVR STANDARDS

DRIVER'S OBJECTIVES

NO ACCIDENTS: Arriving at your destination by operating in safe conditions, respect other drivers and pedestrians

NO VIOLATIONS: Obey traffic rules; adjust speed and driving for adverse weather conditions

NO VEHICLE ABUSE: Required to maintain your vehicle, oil changes, and abide by random or scheduled inspections

NO ALCOHOL OR DRUGS: This includes being under the influence of; and/or substances in the vehicle

SEAT BELTS ALWAYS: It's the law

LOCK UP ALWAYS: No exceptions, vehicle must be locked whenever unattended

NO RIDERS: Absolutely no hitchhikers or unauthorized passengers

PHONE USAGE: Absolutely no texting while driving and hands-free phone calls only

VEHICLE SAFETY INFORMATION

SEAT BELTS

The use of seat belts is mandatory when driving any vehicle.

VEHICLE MAINTENANCE AND VEHICLE SAFETY

Employees of Legacy Companies, Inc. are expected to make a safety check on all vehicles before driving it.

Vehicles are well maintained and repaired as soon as any problem or deficiency is noticed. The maintenance and upkeep of vehicles will be the responsibility of Legacy Companies, Inc. Aside from oil changes which will be the responsibility of the driver and turned in for reimbursement. All maintenance including oil changes, lubrication, repair parts etc., will be recorded on a maintenance log, which will be kept by our service manager. All scheduled maintenance will be in accordance with the manufacturer's recommendations.

CELL PHONE USE AND DISTRACTED DRIVING

Absolutely NO texting while driving (reading or sending.) Only hands free (Bluetooth) is allowed while driving a company vehicle. If you do not have hands free option, then you will need to pull over to make a phone call or return a missed call when you are parked in a safe area. Bluetooth devices will be provided by Legacy Companies, Inc. Wait until parked to adjust controls, navigation, or search for something within the vehicle or on any mobile device. Limit eating and drinking beverages.

VEHICLE APPEARANCE

If you have a company vehicle it needs to be kept clean and you need to notify shop of all maintenance repairs needed.

ACCIDENTS

All accidents are to be reported to management within twenty-four (24) hours after the accident occurs. All accidents will be reviewed and a determination made as either preventable or non-preventable which result from factors outside of a driver's control.

A preventable accident is defined as an accident in which the driver failed to do everything reasonably possible to avoid it.

AUTOMOBILE DRIVER SELECTION PLAN

INSURED: Legacy Companies, Inc.

- Legacy Companies' vehicles are meant for company use. Personal use is prohibited by the Company. Most Company trucks are required to be parked at the employee residence, due to the need for availability of the truck for work purposes (on call) during off hours.
- We will maintain a complete driver schedule listing all drivers of our company vehicles and will furnish this list to our insurance carrier annually or as requested.
- We will advise all existing employees that they are on a probationary basis if they have one major driving violation or two minor violations on their record during the past 60 months.
- If you get a DUI, there will be possible loss of driving privileges.
- We will ask all applicants for employment to disclose any existing automobile violations, and furnish their driver's license number and date of birth so verification may be completed.
- We will call our insurance carrier and request a copy of the motor vehicle record to verify the driving record prior to offering employment to new applicants.
- We will periodically review each current driver's motor vehicle record. We will request this report through our insurance company

CONSEQUENCES FOR VIOLATIONS OR FAILURE TO FOLLOW COMPANY POLICY

- Employees may be personally responsible for any traffic ticket caused by unlawful acts and/or accidents
- Employee may be required to give up company vehicle
- Employee may be given written or verbal warning prior to being terminated
- Termination is subject to severity of the violation

MOTOR VEHICLES

Motor vehicle accidents are the leading cause of occupational fatalities and injuries. This company is committed to preventing motor vehicle accidents. The following rules shall be followed by all company employees:

- No employee shall be permitted to drive any company vehicle without a valid driver's license.
- Drivers shall comply with all federal and state rules and regulations regarding motor vehicle operations.
- Each driver of a company vehicle shall perform a pre-trip inspection of the vehicle he/she is to use at the start of his or her work shift.
- The inspection shall include:
 - Tires
 - Break lights
 - Head lights
 - Tail lights
 - Backup lights
 - Turn signals
 - Horn
 - Wipers
 - Backup alarm
 - Parking brake
 - Fire extinguisher
- Every company vehicle shall be properly maintained.
- Any defects shall be reported to the driver's supervisor immediately. The supervisor will instruct the driver how to handle the defect.
- Each vehicle shall be inspected periodically by a qualified mechanic.
- Each driver shall adjust the rear view and/or side mirrors prior to starting the vehicle.
- The rated load capacity of any company vehicle or rental shall not be exceeded.
- Pipe or other materials being transported by motor vehicle shall be properly balanced and secured to the vehicle.
- All employees shall wear a seat belt while driving or riding in any company vehicle.

Company Safety Procedures Legacy Companies, Inc.

LIGHT DUTY POLICY

It is the policy of Legacy Companies, Inc. to bring workers who are collecting workers' compensation insurance back to work as soon as possible. When possible, workers who are physically capable of performing light duty tasks are required to report to work as usual. Whether workers are physically capable of performing light duty tasks is to be determined by a qualified health care provider. The light duty tasks shall be determined by the worker's supervisor and based on recommendations from the health care provider. The supervisor shall communicate directly with the health care provider and document its recommendations. The supervisor shall obtain a written document from the health care provider stating that the worker in question is physically capable of performing light duty work. Workers who are physically capable of performing their regular duties shall return to them immediately. Whether a worker is physically capable of performing a regular job task shall be determined by the health care provider. The supervisor shall obtain a written document from the health care provider stating that the worker is physically capable of performing regular work assignments.

FALL PROTECTION

Ladders

- Ladders that appear unsafe, have broken or missing steps or side rails or damaged hardware shall not be used.
- Ladder rungs or steps shall be cleared of mud, grease, ice and other slippery substances before they are used.
- Defective ladders shall be tagged with "Do NOT Use" tags and removed from service immediately.
- Ladders shall be used only on firm, level foundations.
- Unauthorized objects shall not be used to level ladders.
- Ladders shall not be painted.
- Ladders shall not be allowed to contact overhead electrical wires or any other electrical source.
- Although dry wooden ladders are poor conductors of electricity, wet wooden ladders shall not be considered insulated.
- Only ladders strong enough to support the load safely shall be used.
- Ladder weight ratings (from 200 up to 300 pounds) shall be checked on the side rail of each ladder before use.
- Workers shall not be permitted to overreach while on a ladder.
- Ladders shall be moved from the ground when it is necessary to reach another area.
- Workers shall not be permitted to carry tools or equipment in their hands while climbing ladders.
- Tools and equipment shall be pulled up by hand after workers have safely reached the landing.
- Workers shall carry small tools in tool belts.
- Ladders shall be taken down immediately when work is completed.
- Ladders in doorways, passageways, etc. shall be protected from being knocked over by barricades or other suitable means.
- Only one person shall be permitted on a ladder at any one time.

Straight Ladders

- Straight ladders shall be pitched at 1 foot out from vertical for every 4 feet of working height measured on a vertical plane from the ground to the ladder support, i.e. wall, landing, etc.
- Straight ladders shall extend at least 3 feet above the landing.
- Straight ladders shall be secured in place by tying the off at the top and/or supporting them at the bottom.
- Workers shall not be permitted to use the top three rungs of a straight ladder for steps.

Step Ladders

- Step ladders shall not be used as straight ladders.
- Step ladders shall only be used in a fully open position.
- The top two steps of a step ladder shall not be used as steps.

Scaffolds

- No scaffold shall be erected, moved, dismantled, or altered except under the supervision of a qualified company supervisor.
- All scaffolds shall be inspected for stability, defects and cluttered or slippery surfaces before starting work.
- Scaffolds shall be able to support at least 4 times the intended load without failure.
- Scaffolds shall be placed on solid footing.
- No unauthorized objects shall be used to support scaffolds.

- All scaffolds more than 10 feet above the ground or floor shall have guardrails between 36 and 42 inches high, mid-rails and toe boards.
- Scaffold platforms shall not be cluttered with tools, materials or other loose objects.
- Workers shall not be permitted to work on scaffolds outside during storms or high winds.
- Scaffolds shall not be overloaded with workers, materials, tools or equipment.

Mobile Scaffolds

- On mobile scaffolds, casters and wheels shall be locked to prevent movement while the scaffold is in use.
- Workers shall not be permitted to move mobile scaffolds from the platform.
- Mobile scaffolds shall be mounted and dismounted only from ground level.
- Mobile scaffolds shall not be moved with loose items on the platform.

Aerial Lifts

- Only employees trained to operate aerial lifts by this company shall operate the lifts.
- Lifts shall be inspected before each use.
- Any apparent damage or fluid leaks shall be fixed by a qualified aerial lift mechanic before it is used for work.
- The lift controls shall be tested before use.
- All operating instructions, warnings and cautions shall be obeyed.
- The manufacturer's recommendations about fall protection shall be followed.
- Oil, grease and other slippery substances shall be removed from footwear and aerial lift platforms before the start of work.
- Lifts shall not be driven with outriggers extended.
- Turntables shall be in the stored/locked position when lifts are being moved.
- Lifts shall not be operated on soft or uneven surfaces.
- Lifts shall be leveled and stabilized by extending outriggers prior to operating the boom.
- Clearances shall be checked thoroughly before positioning the platform.
- The platform shall be entered and exited only from ground level and never from an adjacent structure.

Roof, Floor & Wall Openings and Edges

- All workers shall be protected from falls of 4 feet or more to a lower level.
- Guardrails, personal fall arrest systems and or hole covers shall be used to protect workers from falls to a lower level.
- Guardrail systems shall have a top rail 42 inches high measured from the floor to the top of the rail, intermediate rail and posts.
- The top rail shall be built to withstand, without failure, a force of 200 pounds applied in any direction.
- Where a personal fall arrest system is needed workers shall use, at a minimum, a full body harness, connectors, lanyard with locking snap hooks and suitable anchorage point.
- Only locking snap hooks shall be used as part of a personal fall arrest system.
- Floor and roof holes shall be covered with "Hole Covers" or surrounded by guardrail systems
- Hole covers exposed to vehicular traffic shall be capable of withstanding, without failure, twice the maximum axle load of the largest vehicle expected to cross it.
- All other hold covers shall be capable of withstanding twice the weight of workers, equipment and materials that may be imposed on it.
- Hole covers shall be secured in place and marked with the words "HOLE" or "COVER".

FIRE PREVENTION AND PROTECTION

- All "No Smoking Signs" and other fire or explosion warnings shall be obeyed.
- Oily or greasy rags shall be disposed of in approved metal containers with self-closing lids.
- Flammable liquids or solvents, such as carbon tetrachloride, benzene, gasoline and paint thinner, shall not be used for cleaning pipe or other materials.
- At least one recently inspected (within one year) and fully charged multipurpose (ABC) fire extinguisher shall be always readily accessible while working.
- Potential fire hazards shall be abated as soon as they are observed.

Flammable/Combustible Liquids

- Portable quantities of flammable/combustible liquids shall be kept in approved, self-closing containers.
- Flammable/combustible liquid containers shall be properly labeled. Labels that are defaced shall be replaced immediately.
- Flammable/combustible liquids shall be kept away from sparks, flames, slag, excessive heat and other ignition sources.
- Flammable/combustible liquids shall be kept away from other chemicals and sources of ignition.
- When transferring a flammable/combustible liquid from a drum to a small container, the drum shall first be grounded. Then the drum and container shall be bonded by attaching a conductive wire from the drum to the container.

HOUSEKEEPING

- All work areas shall be cleaned as the work progresses.
- Materials shall be stored in a neat and orderly way.
- All scrap material, trash, tools, materials, and equipment shall be kept out of walkways and passageways.
- Grease, oil, or other chemical spills shall be cleaned up immediately with an absorbent material and disposed of properly.
- Greasy and oily rags and flammable materials shall be disposed of in approved disposal containers with self-closing lids.
- Flammable/combustible liquid spills shall be cleaned up immediately with an absorbent material and shall be disposed of properly as required by regulate.

PERSONAL PROTECTIVE EQUIPMENT

Eye Protection

- Safety glasses or safety goggles, depending on the hazard, shall be worn at all times while working.
- Safety glasses with side shields shall be worn for protection against flying particles or objects.
- Splash-proof safety goggles shall be worn for protection against chemical substances like acids, solvents, etc.
- Face shields shall be worn for face protection against flying particles and splashing chemicals. Safety glasses with side shields or safety goggles, depending on the hazard, shall always be worn under a face shield.
- A welding helmet with an appropriate shaded lens and flash goggles under the helmet shall be worn when welding.
- Flash goggles with appropriate shaded lenses shall be worn when cutting or brazing.

Head Protection

- Hard hats shall be worn at all times while working.

Hand Protection

- Proper work gloves shall be worn when handling rough, sharp, hot or toxic materials that could cause injury to your hands.
- Proper work gloves shall be worn when working with sharp materials.
- Proper work gloves shall be worn when welding, cutting or brazing.
- Proper work gloves shall be worn for protection against chemical substances like acids, caustics, solvent etc.
- All work gloves shall be selected based on the manufacturer's recommendation for protection against the specific exposure.
- Gloves shall not be worn where they could be caught by moving equipment.

Foot Protection

- Work shoes or work boots with steel toes shall be worn by workers.

Respirators

- The company shall attempt to reduce the concentration of hazardous airborne substances to safe levels before requiring workers to use respirators.
- The company shall determine whether respiratory protection is necessary to protect workers from airborne concentrations of hazardous substances that could be harmful to them.
- The company shall select the appropriate type of respirator.
- No employee shall wear a respirator without proper training. The company shall provide the training.
- The company shall select the appropriate type of respirator.
- No employee shall wear a respirator without proper training. The company shall provide the training.
- Supervisors shall monitor the use, maintenance, and sanitation of the respirators used by their workers.
- All employees shall receive a medical evaluation before using a respirator.
- All employees required to wear respirators shall be fit-tested and shall not be permitted to wear facial hair that interferes with the respirator-to-face seal.
- All employees of this company shall comply with the company's written respiratory protection program with respirator use is required.

ACIDS AND CAUSTICS

- Workers shall use the proper personal protective equipment when working with acids or caustics, including splash-proof safety goggles, a face shield and the appropriate gloves.
- The work area shall have adequate ventilation to protect workers from respiratory hazards caused by certain acids and caustics.
- Whenever it is necessary, workers shall wear the appropriate respiratory protection to prevent respiratory illnesses.
- When workers are required to wear respirators the company's written respiratory protection program shall be followed.

MANUAL HANDLING OF MATERIALS

- Hand trucks, carts or other materials handling equipment shall be used whenever possible to move materials.
- Workers shall get help when lifting objects that are too heavy or bulky to be moved safely with one person.
- Workers shall get as close to an object as possible when preparing to lift it.
- Workers shall lift objects by placing their butts down and heads up and lifting with their legs while keeping their backs straight.
- Workers shall not twist their backs when lifting or carrying objects.
- Workers shall watch for "pinch points" when lifting or setting down objects.
- Workers shall wear work gloves to protect their hands from materials with sharp ends or edges.
- Stored materials shall be inspected before they are moved to ensure they will not fall off the shelf or rack while being moved.

ELECTRICAL

- Ground Fault Circuit Interrupters shall be used on all 120-volt single-phase 15 and 20 amp receptacle outlets which are not part of the permanent wiring of the building or structure.
- Portable tools and appliances protected by an approved system of double insulation, or its equivalent need not be grounded, provided that they are distinctly marked "Double Insulated" or shows a diagram of a square within a square, etc.
- Extension cords shall be rated to accept the maximum current (AMPS) pulled by the tools, appliances, or equipment.
- Extension cords shall be protected against damage that could be caused by traffic, sharp corners, projections or pinching in doorways, etc.
- Extension cords shall not be fastened with staples, hung by nails or suspended by wire.
- Electrical cables, extension cords, power tools, appliances and equipment shall be inspected for:
 - Broken, cut or frayed insulation.
 - Broken or exposed wires.
 - Damaged plugs; and
 - Missing ground terminals
- Damaged or otherwise unsafe cables, cords and plugs shall be replaced.
Damaged electrical cords, tools, appliances, and equipment shall be removed from service immediately and tagged "Do Not Use." Workers shall report the damage to a supervisor as soon as possible.

HEALTH HAZARDS

Carbon Monoxide

- Adequate ventilation shall be established for work around internal combustion engines fueled by diesel fuel or gasoline.
- Adequate ventilation shall be established for hot work operations. (Some welding operations generate carbon monoxide).
- Adequate ventilation shall be established when working around sources of burning propane gas.

Asbestos

- The construction dates of all buildings or structures shall be determined before work begins.
- When working in buildings or structures built before 1980, asbestos safety procedures shall be followed to protect workers from overexposure to asbestos.
- Pipe wrap, boiler wrap, ceiling tiles, floor tiles, insulation and wall board shall be checked for signs of dilapidation. If it appears that any of these materials could easily crumble or become pulverized by the work to be performed in the area, workers shall not begin work until:
 - Is it determined that the materials do not contain asbestos.
 - It is determined that workers would not be exposed to harmful concentrations of asbestos.
 - The materials are removed by a certified asbestos removal company; or
 - The materials are encapsulated.

Lead

- Work involving flame torch cutting, welding or grinding of painted surfaces, maintenance of duct work or use of plumbing solder shall not begin until:
 - It has been determined that lead is not present in the paint or materials.
 - It is determined that workers would not be exposed to harmful concentrations of lead; or
- Workers have been properly trained and have received the appropriate personal protective equipment required to keep them safe from lead exposure.
- All employees shall comply with the company's Lead Compliance Program when airborne lead concentrations require its use.

Heat Stroke/Heat Exhaustion

- Workers shall be permitted to take frequent breaks in cool places when working in hot environments.
- Workers are encouraged to drink plenty of water throughout the day.
- Workers shall be trained to wear lightweight clothing with a breathable fabric whenever their job allows it.

Hazard Communication

- Workers shall be informed about their right to know about chemical substances in the workplace.
- Workers shall not begin work until they are trained about the chemical substances they could be exposed to while working, including what the substances are, what the health, fire, reactivity and other hazards are; and how they can protect themselves from those hazards.
- All chemical substance containers shall be properly labeled.
- A copy of the company's written hazard communication program shall be kept on site.
- A Safety Data Sheet (SDS) for each chemical substance used by the worker shall be made readily.
- Workers shall be trained how to easily access the written hazard communication program and the SDS.
- Missing container labels and labels that are no longer legible shall be replaced immediately

Blood borne Pathogens

- Workers shall be trained about the blood borne pathogens that they could be exposed to while working; specifically, when and where they could be exposed and how to protect themselves from those hazards.
- The training shall focus on proper work practice controls and use of proper personal protective equipment to prevent exposure to blood borne pathogens. A copy of the company's blood borne pathogen exposure control plan shall be accessible to all employees.

WELDING, CUTTING, SOLDERING AND BRAZING

Compressed Gas Cylinders

- While being transported, cylinders shall be secured on a cradle, sling-board or pallet.
- Chokers, slings or electric magnets shall not be used to transport or lift cylinders.
- Cylinders shall always be secured in a vertical position while being used or stored.
- Valve protection caps shall always be replaced when cylinders are not being used.
- Regulators shall always be used when working with compressed gas cylinders.
- Regulators shall be removed and valve protection caps replaced when cylinders are moved even short distances unless the cylinders are secured to a cart designed specifically for moving them.
- A chain or other suitable securing device shall be used to secure cylinders in an upright position and prevent them from being knocked over. Cylinder valves shall be open only when work is being performed. Valves shall be closed tightly immediately after work with cylinder stops.
- Bleed the hoses after the cylinders are shut off.
- All cylinders shall be equipped with flash back arresters while being used.
- All hoses, hose connections, valves, torches and flash back arresters shall be inspected before each use.
- Defective equipment shall be taken out of service immediately and tagged with "Do Not Use Tags."
- Cylinders shall be kept away from sparks, hot slag or flames.
- Cylinders shall not be placed where they could become part of an electrical circuit.
- Oxygen and acetylene cylinders shall be separated by a minimum of 20 feet or by a half hour-rated, five foot high non-combustible barrier.
- Oxygen cylinders shall be kept away from oil and grease to prevent fires and explosions.

Welding

- Welders shall wear clothing that will protect them from hot sparks, slag, etc. such as flame-resistant coveralls, welding gloves, flame resistant leggings and leather high-top boots.
- Welders shall not wear clothes with pockets or cuffs in the legs or sleeves.
- Welders shall wear a welding helmet with the shaded lens necessary to protect the eyes from the work. Flash goggles shall be worn under the helmet.

Brazing and Soldering

- Proper eye protection shall be worn by workers while soldering or brazing.
- Work areas shall be adequately ventilated while soldering or brazing is being performed.
- Water/moisture shall be kept away from molten metal to prevent its propulsion.

Gas Welding and Cutting

- Cylinder valves shall be cracked open and quickly closed before a regulator is connected to remove dirt and other particles.
- The worker cracking the valve shall stand to one side of the outlet and not in front of it.
- Valves shall not be "cracked" in any area where the escaped gases could come in contact with sparks, flames or other sources of ignition.
- Fuel-gas hoses and oxygen hoses shall be easily distinguishable from each other.
- Torches shall be lighted with friction lighters only.

Arc Welding and Cutting

- Only manual electrode holders which are specifically designed for arc welding shall be used for arc welding and cutting.
- Electrodes shall not be placed against cylinders to strike or arc.
- All current-carrying parts shall be inspected to ensure that they are insulated from ground.
- All arc welding and cutting cables shall be checked to ensure that they are capable of handling the maximum current required by the work in progress.
- Only cables with standard insulation connectors of a capacity at least equivalent to that of the cable shall be used.
- Defective cables or other parts shall be removed from service and tagged with "Do Not Use Tags."
- Ground return cables shall have a safe current-carrying capacity at least equal to the specified maximum output capacity of the arc welding units they will service.
- The frames of all arc welding machines shall be grounded either through a third wire in the cable containing the circuit conductor or through a separate wire that is grounded at the source of the current.

- All ground connections shall be inspected for capacity and proper connection.
- Gasoline or propane-fueled portable welding machines and auxiliary generators shall have a positive ground before being started.
- Arc welding and cutting operations shall be shielded with non-combustible or flame-proof materials whenever possible to protect others from looking into the arc rays.
- Torches shall not be hung on regulators or other equipment where they can contact a compressed gas cylinder.
- Cables shall not be allowed to lie in water or oil.
- Workers shall not be permitted to loop the cables around their bodies.
- Only chipping hammers shall be used.

Fire Prevention

- Objects to be welded, cut or heated shall be moved to a safe location whenever possible. Where objects can't be moved, flammable/combustible materials must be removed or protected from sparks and heat by non-combustible or fireproof barriers.
- Welding or cutting shall not be performed in areas where the application of flammable paints, or the presence of flammable compounds, or heavy dust concentrations create a fire or explosion hazard.
- Suitable fire extinguishers shall be readily accessible where welding or cutting is being performed.
- Welders shall ensure that an adequate vent is in place before welding or cutting on a drum, container or hollow object before beginning hot work.
- Welders shall ensure that adequate ventilation is provided before beginning hot work in enclosed areas.

CONFINED SPACE ENTRY

- No worker shall enter a confined space without authorization from a supervisor.
- All confined spaces shall be tested for oxygen content, flammable and explosive atmospheres and toxic gases before entry is approved.
- No worker shall enter a confined space with unsafe oxygen content or the presence of any flammable, explosive or toxic gases until proper confined space entry procedures have been established by the company's Permit Required Confined Space Entry Program and implemented by the company.
- No worker shall enter a confined space without the required training.
- No workers shall attempt a confined space rescue. Emergency rescue services shall be called immediately if a worker becomes unconscious in a confined space.
- All employees shall comply with the company's Permit Required Confined Space Entry Program.

LOCKOUT/TAGOUT

- Hazardous sources of uncontrolled energy including electricity (such as electrical switches), mechanical energy (such as fans), hydraulic energy (such as aerial lifts), pneumatic energy (such as compressed air) and thermal energy (such as steam lines) shall be locked out to keep them from releasing stored energy when working with them or around them presents a hazard to workers.
- Sources of uncontrolled energy that cannot be locked out shall be tagged out to warn others not to release the stored energy.
- Only the individual who locks out and/or tags out a source of energy shall remove the lock and/or tag.

EMERGENCY MEDICAL SERVICES AND FIRST AID

- Emergency Medical Services (EMS) shall be contacted immediately whenever any worker is having difficulty breathing, has uncontrolled bleeding or is showing signs of shock. If there is any question about whether to call, EMS shall be called immediately.
- Workers shall be provided with the emergency telephone numbers for EMS.
- Where necessary, workers shall be trained in basic first aid procedures which include: CPR/mouth to mouth resuscitation, controlling severe bleeding and treating for shock.
- All workers trained to render first aid shall receive blood borne pathogens training.
- Each service vehicle shall have a first aid kit.
- Each first aid kit shall contain Personal Protective Equipment to protect first aid responders from blood borne pathogens. The kits shall have, at a minimum, rubber gloves, a one-way breathing mask for CPR and mouth to mouth resuscitation and eye glasses with side shields.
- Each time a first aid kit is used in an emergency, it shall be restocked immediately.

TOOLS AND EQUIPMENT

- Manufacturer-installed safety devices and guards shall not be removed or bypassed.
- All hand tools, power tools and similar equipment shall be maintained in safe working order. Manufacturers' instructions shall be followed regarding proper maintenance.
- All tool and equipment blades shall be kept sharp.
- All damaged tools shall be removed from service immediately and tagged with "Do Not Use Tags."
- No maintenance on a powered tool or piece of equipment shall be performed unless it has been de-energized, i.e. unplugged, etc.

Hand Tools

- Workers shall use the proper tool for each task.
- Cheater bars or hammers shall not be used on wrenches.
- Only files with handles shall be used by workers.
- Tools with mushroomed heads shall not be used.
- Screwdrivers shall not be used as pry bars.
- Wooden handles on tools shall be kept free from splinters.
- Knives shall not be used as screwdrivers or pry bars.
- Workers shall not use folding knives unless they are equipped with a lock blade.

Power Tools

- Portable power tools shall not be lowered lifted or carried by their cords.
- All power tools shall be unplugged before changing parts.
- All power tools shall be inspected before use for defects and broken parts.
- Repairs to power tool cords, plugs and motors shall be performed only by a qualified person.
- Power tools shall be properly grounded unless they are double insulated (look for the words "Double Insulated" or a square inside a square symbol on the tool to be sure it is double insulated).
- Power tools and cords shall be kept out of water.
- Workers using power tools shall be protected by Ground Fault Circuit Interrupters.
- Triggers on air impact tools and power-actuated tools shall not be actuated until the tool is in proper contact with the work.
- Fuel-powered tools shall not be refueled or serviced until they have been shut off.
- Tool safety clips or retainers shall be securely installed and maintained on pneumatic and electric impact tools.

Abrasive Wheel Tools and Equipment

- Abrasive wheel tools and equipment including the wheel shall be inspected for defects, including broken or cracked parts, before each use.
- Grinding shall be performed only on the face of the wheel.
- Guards shall be adjusted properly and shall cover the spindle, nut and flange projections.
- Only use abrasive wheels that are designed specifically for the tool being used. Modifications to fit an incorrect size or type wheel shall not be made.
- Abrasive wheel RPMs shall be less than or equal to the RPMs of the grinder to which it is attached.

TRENCHING AND EXCAVATIONS

- Workers shall be protected from cave-ins while working in trenches or excavations that are less than 20 feet deep by shoring, bracing, proper sloping or by a portable trench box. This rule shall not apply when the trench or excavation is in solid rock or less than 5 feet deep and a competent person has determined it is safe to enter.
- Before beginning to dig any trench or excavation, underground utilities shall be identified and marked by the appropriate utility company.
- Excavated material, tools and equipment shall be kept a minimum of two feet from the edge of the trench or excavation.
- Ladders, ramps, stairways, or other safe means for entering and exiting a trench or excavation more four feet deep shall be provided within 25 feet of each worker.
- No worker shall be permitted under loads handled by lifting or digging equipment.
- All shoring and bracing shall be inspected daily and after each rainstorm by a competent person.
- Adequate barricades, signs and warning lights shall be provided and maintained as required.
- No worker shall be permitted to work along while performing trenching, excavation, or shoring operations.
- A warning system such as barricades, hand or mechanical signals or stop logs shall be used to keep equipment from approaching the edge of a trench or excavation.
- Workers shall not be permitted in trenches or excavations where there is standing water or where water is accumulating unless precautions have been taken to protect the workers from cave-ins.
- Removal of protective systems shall begin at the bottom of the trench or excavation and progress upward.
- Backfilling of the trench or excavation shall be accomplished together with the removal of the protective system.

CRANES, HOISTS AND RIGGING

- Lifting equipment shall not be loaded beyond its maximum rated capacity.
- The operator shall take signals from one person only and signals shall be thoroughly understood before moving the load. All operators and flag persons shall be familiar with crane signals.
- All lifting equipment shall be inspected before being used. Defective or unsafe equipment shall be removed from service and tagged with "Do Not Use" tags.
- Flag persons shall check the surrounding area before moving the load to see that everyone is in a safe position.
- Employees shall not be allowed under the load of a crane boom that is being raised or lowered. Employees required to work near a suspended load shall ensure that they are never directly beneath the load.
- All hooks shall have a safety latch.
- The operator shall not leave his/her position at the controls while a load is suspended.
- No one shall be permitted to ride on the load, hook or ball of any crane or hoist.
- The load shall be attached to the load block hook by means of slings or other approved devices.
- Tag lines shall be used to control swinging loads.
- Paint shall not be applied to hooks.

Mobile Cranes

- Only qualified personnel shall operate cranes.
- Each operator shall be familiar with the manufacturer's operating manual for safe operation of the equipment.
- All cranes shall be equipped with a legible load rating chart affixed to the crane in a manner that is easily visible to the operator while at the control station. The rated load capacities of the chart shall not be exceeded.
- All cranes shall be equipped with a working boom angle indicator.
- A fire extinguisher shall be kept in the cab.
- The crane shall be level.
- Outriggers shall be used to support cranes and shall be placed on wood blocks or other suitable solid bases.
- Sudden starts and stops shall be avoided when swinging a crane.
- After completion of a job or at the end of the workday, the boom should be lowered to the ground.
- All personnel shall be kept clear of the cab and counterweights while the crane is in operation. Barricades or barricade tape shall be used around the outriggers.
- Cranes shall be inspected monthly with written, signed, and dated reports.

Rigging

- Hooks, slings, cables, ropes, and lifting devices shall be free from defects and be strong enough to carry the load. Job-made slings shall not be permitted.
- A safety factor of five (5) shall be used when determining the lifting capacity of rigging.
- The rigging shall be secure and the load properly balanced before it is moved.
- Loads shall not be lifted by the tip of the hook.
- The hook should be centered over the load before lifting.
- The sling shall not be shortened with knots, bolts or other makeshift devices.
- A sling shall not be pulled from under a load when the load is resting on the sling.
- Hands and feet shall not be placed under material being raised or lowered.
- Flag persons shall stand in a safe position while the load is being moved.
- Ladders shall be used when it is necessary to climb on a load to attach rigging.
- Workers shall not attempt to place blocks under a load that is in motion.
- Padding shall be used on loads that could cut or damage slings or chokers.
- Shackles shall be used where multiple slings are involved.
- Shackles should be used instead of treading the eye of a choker or sling.
- When using shackles, the "running" section of the rope or sling shall be on the curve of the shackle and not over the shackle pin.
- Wire rope slips shall be attached to wire rope so that the curve of the U-bolt is always over the dead end of the rope.
- Hands shall be kept clear of pinch points while the slack is being taken up on the load.
- The safety latch shall be closed immediately after attaching the hook to the load.
- Wire rope shall be kept lubricated according to the manufacturer's specifications.
- Shock loading is prohibited.
- Nylon rope slings shall not be used.
- Knots shall not be used in lieu of splices in synthetic rope slings.
- Slings shall be inspected prior to use. Damaged or defective slings shall be immediately removed from service.
- Hooks shall not be painted, welded or otherwise modified.
- Cast iron rigging equipment such as snatch blocks, pulleys, etc., shall not be used.
- Buckets shall not be lifted by the handle.
- Wire rope slings shall be removed from service if:
 - There are ten randomly distributed broken wires in one rope lay or five broken wires in one strand in one rope lay.
 - There is wear or scraping of one-third the original diameter or outside distortion of the wire rope structure.
 - There is kinking, crushing, bird caging or any other damage resulting in distortion of the wire rope structure.
 - There is evidence of heat damage.
 - There are cracked, deformed, or worn end attachments, hooks that have been open more than 15% of the normal throat opening measured at the narrowest point or twisted more than 10% from the plane of the unbent hook or show signs of distortion

DISCIPLINARY ACTION POLICY

As a course of policy, all employees at Legacy Companies, Inc. are required to:

- obey all established safe work rules and company policies
- attend and participate in designated safety training sessions
- immediately report any unsafe acts, conditions or company policy violations

Failure to comply with any of these requirements will result in immediate disciplinary action as follows:

- 1st offense-The supervisor addressing the violation shall take immediate action to ensure that the unsafe act is stopped or unsafe/unhealthful condition is abated and the worker responsible for the violation receives a verbal warning. The supervisor will document the warning and place it in the worker's personnel file.
- 2nd offense-The supervisor addressing the violation shall take immediate action to ensure that the unsafe act is stopped or the unsafe/unhealthy condition is abated and the worker responsible for the violation receives a written warning. A copy of the written warning shall be placed in the worker's personnel file.
- 3rd offense-The supervisor addressing the violation shall take immediate action to ensure that the unsafe act is stopped or unsafe/unhealthy condition is abated and the worker responsible for the violation is suspended for three days without pay. Documentation regarding the suspension shall be placed in the worker's file.
- 4th offense-Occurrence of the same violation a fourth time shall be documented and placed in the worker's personnel file. The worker shall be discharged.

This course of disciplinary action does not apply to managers or workers determined to be under the influence of alcohol or drugs (see the company Alcohol & Substance Abuse Policy).

DRUG AND ALCOHOL PROGRAM

POLICY STATEMENT

Legacy Companies, Inc. wants to provide every employee with a safe workplace. The use of drugs and alcohol in the workplace can lead to accidents and otherwise endanger our employees. In fact, drug and alcohol abuse is the leading cause for workplace deaths and accidents.

DRUG AND ALCOHOL USE:

- Employees may not report to work under the influence of drugs or alcohol
- Employees may not consume drugs or alcohol during assigned work hours including any and all break periods
- Prescription and over-the-counter drugs or alcohol use will be allowed if this use does not interfere with the employee's job duties and the use is medically necessary
- Any employees found to be in violation of this policy will be subject to disciplinary action, which may include termination

SUBSTANCE ABUSE & DRUG TESTING POLICY

Legacy Companies, Inc. has a no tolerance policy for substance abuse in the workplace. This policy is being implemented to help prevent workplace injuries and to ensure high quality service work. Employees under the influence of alcohol or drugs, or who possess alcohol or illegal drugs while working for the company, shall be subject to immediate disciplinary action as stated below:

- Employees or applicants for work who possess illegal drugs or alcoholic beverages during working hours shall be discharged or refused employment.
- Employees or applicants for work who fail to pass a required drug or alcohol test, under the conditions described in this policy, shall be discharged or refused employment.
- Employees or applicants for work who refuse to submit to a drug or alcohol test, under the conditions described in this policy, shall be discharged or refused employment.
- Employees operating any company vehicle who are determined to be under the influence of alcohol or illegal drugs shall be discharged.
- All drug testing shall be done in strict accordance with U.S. Department of Transportation standards found in Title 49 of the Code of Federal Regulations, Part 40, Subpart B and the Collective Bargaining Agreement.
- All alcohol testing shall be done in strict accordance with U.S. Department of Transportation standards found in Title 49 of the Code of Federal Regulations, Part 40, Subparts C and D and the Collective Bargaining Agreement.
- The results of all alcohol and drug testing shall be kept confidential.
- The following types of drug testing shall be conducted:
 - Pre-Employment;
 - For Cause;
 - Post-Accident;
 - Return-From-Treatment; and
 - Random
- Testing shall be conducted for the following substances:
 - Alcohol;
 - Amphetamines;
 - Cocaine;
 - Marijuana;
 - Opiates;
 - Phencyclidine (PCP); and
 - Substance of choice drugs.
- All supervisors shall be trained on:
 - The effects of substance abuse on personal health and the work environment;
 - Behavior associated with substance abuse; and
 - Title 49 Code of Federal Regulations, Part 40 Subparts B, C and D.
- The use of prescription drugs shall not be cause for disciplinary action if the employee's health care provider has authorized the prescription for use during work. Whether an over-the-counter or prescription drug impairs an employee's ability to perform work safely shall be determined by the employee's health care provider.
- Employees of this company shall not be required to submit for a "For Cause" drug or alcohol test unless:
 - The first-hand observation of the employee's behavior is made by a trained supervisor; and
 - The observing supervisor generates a signed and dated report describing the perceived condition of the employee and makes copies available to the employee.
- Employees who test positive shall, at their own expense, have the right to have the sample retested by an independent, federally certified facility. If the results of the initial test are found to be inaccurate, the employee shall be allowed to return to work immediately with back pay and equal benefits. The company shall reimburse the employee for the cost of the retest. The supervisor in charge shall protect the integrity of the sample by monitoring chain of custody between testing facilities.
- Employees who are discharged due to a positive drug or alcohol test are eligible to be re-hired following successful completion of an alcohol and/or drug treatment program. If the company chooses to re-hire an employee following treatment, the employee shall receive "Return-From-Treatment Testing."

Definitions:

Drugs of Choice: Substances other than those listed in this policy which may be prevalent locally. Examples include, but are not limited to, barbiturates, benzodiazepines, methadone, methaqualone, and peyote.

Employee: Any manager or worker employed by this company to perform work on its behalf.

For Cause Testing: Testing of employees whose behavior causes trained supervisors to conclude that the behavior is the likely result of substance abuse.

Post-Accident Testing: Testing of workers involved in "OSHA-Recordable" injuries or "near misses" in which injury or property damage is narrowly avoided.

Pre-Employment Testing: Testing of employee prospects prior to offering them employment (does not include alcohol).

Random Testing: Testing of employees at random times and on a random selection basis. Between 25% and 100% of all managers and workers should be selected annually. Each pool of names for selection should include previously tested employees.

Return-Following: Periodic testing of employees who are re-hired following successful

Treatment Testing: Completion of a drug and/or alcohol treatment program.

ACKNOWLEDGMENT

I acknowledge receipt of the Legacy Companies, Inc. Employee Handbook & AWAIR Program.

I understand that I should read the Employee Handbook & AWAIR Program and I should keep it up to date by replacing revised pages. I understand that if I have any questions, I should contact my supervisor for an explanation.

I also understand that the purpose of the Employee Handbook is to provide me with general information regarding the company's guidelines and procedures. The Employee Handbook & AWAIR Program may be changed or deleted in whole or in part at any time by the company. The Employee Handbook & AWAIR Program does not contain all the company guidelines, policies or procedures used at the company.

The Employee Handbook & AWAIR Program is not an employment contract and does not give me contractual or employment rights.

EMPLOYEE CONDUCT GUIDELINES

The following guidelines are set forth for the protection of the company's customers and employees. All employees of the company should follow these guidelines on the company premises and while acting in the employ of the company or during any company business.

Failure to comply with these guidelines may result in suspension, termination or other disciplinary action.

The following actions are prohibited:

- Unauthorized taking or use of company merchandise, cash, materials, equipment or services.
- Taking or damaging the company's or a co-worker's property or inventory.
- Assaulting or harassing customers, suppliers or co-worker.
- Stealing from or cheating a customer or the company.
- Using, possessing, selling or being under the influence of alcohol or illegal drugs on company property or during work hours.
- Using company property, vehicles or tools without proper authorization.
- Operating or having a major investment or relationship in a competing business.
- Falsifying payroll time records or other company records.
- Unauthorized use or disseminations of company proprietary information.
- Unexcused absences of 3 or more consecutive days.
- Being insubordinate or refusing to follow a supervisor's instructions.

Each employee is expected to:

- Report to work on time
- Maintain personal appearance and wear approved attire (no shorts, tennis shoes or holes)
- Interact with customers and the public in a helpful and friendly manor.
- Protect the company's interests.
- Notify the proper authorities in the event of an emergency.
- Follow all company safety guidelines and rules of conduct.

I have read the above statement of workplace responsibilities and I understand my role in the maintenance of fidelity and security at the company. I agree to comply with these guidelines.

HARASSMENT POLICY

Legacy Companies, Inc. believes that every employee has the right to a work environment free of unwelcome verbal or physical conduct which harasses, disrupts, or interferes with the individual's work performance or creates an intimidating, offensive, or hostile environment. The company does not tolerate any employees engaging in this type of behavior. Any employee participating in such negative conduct will be subject to appropriate corrective action which may include termination.

EMPLOYEE HARASSMENT: is defined as unwelcome conduct directed toward an employee that illegally discriminates against that employee, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.

SEXUAL HARASSMENT: is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term of condition or an individual's employment; or
- Submission to or rejection of such conduct is used or threatened to be used as the basis for employment decisions affecting such individual; or
- Such unreasonable conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

DISCIPLINARY ACTION:

Any disciplinary action taken in response to the findings of a harassment complaint will be based on the individual circumstances of each situation. Disciplinary actions may include, but are not limited to written warnings, suspension without pay, or termination.

In addition, if it is determined that a person has falsely and intentionally accused someone of harassment, appropriate disciplinary action will be taken, which may include termination.

CRYSTALLINE SILICIA RULE

Legacy Companies, Inc. Compliance and Training

As required by OSHA, new rules will be implemented and trained by all staff employed by Legacy Companies, Inc. who have access to specified equipment.

- All Legacy Companies, Inc. employees will receive listed tools and training on items that may contain and/or create Crystalline Silica
- If Crystalline Silica is thought to be present or anticipated to be present on said job, Legacy Companies, Inc. employee is required to request Silica sample from Job Supervisor at the beginning of operations
- If Crystalline Silica is thought to be present or anticipated to be present on said job, Legacy Companies, Inc. employee is required to report Silica determination to Legacy Companies, Inc. Construction manager. Legacy Companies, Inc. will record determination and results for all Legacy Companies, Inc. employees scheduled on specific Jobsite
- All Grinders and drills used by Legacy Companies, Inc. will be equipped with a dust collection system to be utilized at all times.
- If any and all Grinders to be used indoors for more than 4 hours, Legacy Companies, Inc. will supply Required Respiratory Protection with APF 10
- All dust collection filters will comply with CFM, efficiency, and cleaning requirements per OSHA
- Any Handheld Masonry Saws owned by Legacy Companies, Inc. will be equipped with a water-fed system and local exhaust dust collection system
- Any use of Handheld Masonry Saws by Legacy Companies, Inc. indoor or outdoor, for any amount of time will be supplied with Required Respiratory Protection with a minimum APF 10 or APF 50 for use outdoors
- All protective gear shall be provided to any and all Legacy Companies, Inc. employee when required.

Please sign the following forms that you have read and understood the following policies



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ESST – EARNED SICK AND SAVE TIME POLICY

updated 1/01/24

Purpose

The Earned Sick and Safe Time (ESST) Policy is designed to comply with the Minnesota Earned Sick and Safe Time law, Minn. Stat. §§ 181.9445 to 181.9448, effective January 1, 2024. In cases where federal, state, or local laws offer greater leave rights than this policy, the applicable law will take precedence over this policy.

Scope

Effective January 1, 2024, the ESST Policy is applicable to all employees working 30 hours/week or more in the State of Minnesota for at least 80 hours in a year.

Definitions

Covered Family Member means any of the following:

- The employee's: (i) child, foster child, adult child, legal ward, child for whom the employee is a legal guardian, or child to whom the employee stands or stood in loco parentis; (ii) spouse or registered domestic partner; (iii) sibling, stepsibling, or foster sibling; (iv) biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child; (v) grandchild, foster grandchild, or step-grandchild; (vi) grandparent or step-grandparent; (vii) a child of a sibling of the employee; (viii) a sibling of the parents of the employee; or (ix) a child-in-law or sibling-in-law.
- Any family member listed above of a spouse or registered domestic partner.
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship.
- Up to one individual annually designated by the employee.

Leave Year

Under this Policy, the Leave Year is defined as January 1 to December 31 [or the 12-month period following the employee's date of hire].

Regular Rate of Pay

The employee's regular hourly rate.

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Earned Sick and Safe Time or ESST

In accordance with applicable law, employees may take ESST for any of the following purposes:

- (1) The employee's (i) mental or physical illness, injury, or other health condition; (ii) need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or (iii) need for preventive medical or health care.
- (2) The employee's need to care for a family member (i) with a mental or physical illness, injury, or other health condition; (ii) who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition; or (iii) who needs preventive medical or health care.
- (3) An absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to: (i) seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking; (ii) obtain services from a victim services organization; (iii) obtain psychological or other counseling; (iv) seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or (v) seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking.
- (4) The closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to weather or other public emergency.
- (5) The employee's inability to work or telework because the employee is: (i) prohibited from working by the employer due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or (ii) seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the employee's employer has requested a test or diagnosis.
- (6) When it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.
- (7) For any other purpose required by state or local law.

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Earned Sick and Safe Leave

1. Accrual

Beginning on January 1, 2024, or the employee's date of hire, eligible employees accrue ESST at a rate of 1 hour for every 30 hours worked in the State of Minnesota, up to a maximum of 48 hours each Leave Year.

ESST accrues in whole hour increments each pay period, consistent with the Company's regular payroll practices.

Employees accrue ESST only for hours *actually* worked in the State of Minnesota and not while on vacation, leave, while using ESST, or any other non-working time.

2. Carryover and Cap on Accrual

At the end of each Leave Year, eligible employees are permitted to carry forward up to 80 hours of accrued and unused ESST from one Leave Year to the next Leave Year.

While the employee may carry forward up to 80 hours of ESST from one Leave Year to the next, the employee will not accrue any additional hours after reaching an ESST balance of 80 hours and the total ESST balance drops below 80 hours.

3. Usage

After working 80 hours, an employee may use earned ESST as it is accrued. Eligible employees may use ESST in the smallest increment of time tracked by the employer's payroll system (15 minutes).

Eligible employees may use ESST only if the employee is *scheduled* to work.

4. Notice by Employee

To the greatest extent possible, employees must provide written notice of the need to use ESST.

If the need for ESST is foreseeable, the employee must provide reasonable advance notification to his or her manager or supervisor. Employees must make a reasonable effort to schedule a foreseeable need for ESST in a manner that does not unduly disrupt operations.

If the need for ESST is not foreseeable, the employee must provide notice to his or her manager as soon as practicable and must generally comply with the Company's notice and leave request procedures to the extent that such notice does not interfere with the ability of the employee to use the ESST when needed.

This means Legacy Companies, Inc. is allowed to deny ESST if it is taken without prior notice (within a practicable amount of time) for a previously scheduled appointment or event.

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5. Documentation

If an employee uses ESST for more than three consecutive days, the Company may require reasonable documentation substantiating the employee's need for ESST. Documentation will be accepted in accordance with applicable law.

Records and documents relating to medical certifications, recertifications, or medical histories of employees or family members of employees are confidential medical records and will be maintained separate from the employee's personnel records.

The Company also reserves the right to require documentation verifying an employee's need to use ESST if there are clear indications of abuse, such as (a) using ESST hours on days when an employee's request for vacation has been denied, (b) a contemporaneous social media photo or post of the employee that conflicts with their stated reason for using ESST, or (c) a consistent pattern of circumstantial evidence.

Any ESST longer than 3 days, by law, Legacy Companies, Inc. is allowed to request documentation to approve any subsequent time off used.

6. Interaction with Other Leaves

Depending on the reason, an employee's use of ESST may also qualify for leave under federal, state, or other local laws.

Any leaves will run concurrently to the greatest extent possible. An employee will be required to exhaust any accrued and unused ESST, as well as any other paid time off, before being permitted to take unpaid leave.

7. Compensation

ESST will be paid at the employee's Regular Rate of Pay. The Company will not pay overtime when an employee uses ESST, even for hours that would have been overtime hours if worked.

8. No Payout at Separation

Upon an employee's separation of employment for any reason, all unused ESST is forfeited, and the Company will have no obligation to pay the employee for the unused ESST.

Employees who have a break in employment and are rehired within 180 days will be credited with any previously accrued, unused ESST.



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ESST Notice

The rights of covered employees under the Minnesota ESST Statute include the following: (1) the right to accrue at least one hour of ESST for every 30 hours worked in Minnesota, up to a maximum of 48 hours per year; (2) the right to carry over up to 80 hours of accrued but unused ESST each year; (3) the right to use ESST for the purposes set forth in the Minnesota ESST Statute; and (4) the right to file a complaint with the Minnesota Department of Labor and Industry or a civil action if the employee believes the employee has been retaliated against or improperly denied ESST. The employee notice procedures are outlined above.

No Discrimination or Retaliation

The Company strictly prohibits retaliation or discrimination against employees who request or use ESST. Any employee who believes that he or she has been wrongfully denied ESST, retaliated, or discriminated against for requesting or using ESST must immediately notify Human Resources.

Disclaimer

This policy is not a contract for employment. The Company may periodically update this policy and reserves the right to interpret the policy as well as replace, modify, or revoke it at any time, upon reasonable notice.

A handwritten signature in black ink, consisting of several overlapping, fluid strokes.