



Midwestern Construction, Inc.

State of Florida Certified General Contractor CGC 1515248

EMPLOYEE HANDBOOK

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INTRODUCTORY STATEMENT

Welcome to Midwestern Construction, Inc.

We believe that each employee contributes directly to Midwestern Construction, Inc. growth and success, and we hope you will take pride in being a member of our team

This Employee Handbook – Field applies to all employees of Midwestern Construction, Inc. It is intended to provide guidelines and summary information about the company’s personnel policies, procedures, benefits, and rules of conduct.

It is important that you read, understand, and become familiar with this Employee Handbook and comply with the standards that have been established. Please talk with your immediate supervisor if you have any questions or need additional information.

The rules set out in this Employee Handbook are as complete as we can reasonably make them. However, they are not necessarily all inclusive because circumstances that we had not anticipated may arise. Some unanticipated circumstances may warrant the application of discipline, including termination. In addition, Midwestern Construction, Inc. reserves the right to modify, supplement, rescind, or revise any policy, benefit, or provision from time to time, with or without notice, as it deems necessary or appropriate.

Core Values

As we grow as a company, it has become more and more important to explicitly define the core values from which we develop our culture, our brand, and our business strategies. These are the ten core values that we live by:

1. Deliver WOW Through Service
2. Embrace and Drive Change
3. Create Fun and A Little Weirdness
Be Adventurous, Creative, and Open-Minded
4. Pursue Growth and Learning
5. Build Open and Honest Relationships with Communication
6. Build a Positive Team and Family Spirit
7. Do More with Less
8. Be Passionate and Determined
9. Be Humble

CUSTOMER RELATIONS

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Customers are among our Organization's most valuable assets. Every employee represents Midwestern Construction, Inc. to our customers and the public. The way we do our jobs presents an image of our entire Organization. Customers judge all of us by how they are treated with each employee contact. Therefore, one of our first business priorities is to assist any customer or potential customer. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to customers.

Our personal contact with the public, our manners on the telephone, and the communications we send to customers are a reflection not only of ourselves, but also of the professionalism of Midwestern Construction, Inc. Positive customer relations not only enhance the public's perception or image of Midwestern Construction, Inc., but also pay off in greater customer loyalty and increased sales and profit.

EMPLOYMENT-AT-WILL

Employment with Midwestern Construction, Inc. is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, Midwestern Construction, Inc. may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between Midwestern Construction, Inc. and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or cancelled at any time, at Midwestern Construction, Inc. sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the chief executive officer of Midwestern Construction, Inc.

EQUAL EMPLOYMENT OPPORTUNITY

Midwestern Construction, Inc. is committed to equal employment opportunity for all qualified persons. This is without regard to race, color, religion, sex (including pregnancy, childbirth and related medical conditions), national origin, ancestry, age, physical disability, mental disability, medical condition, family care status, veteran status, citizenship status, marital status, or sexual orientation, to the extent required by law.

This policy applies to all employment practices, including hiring, promotions, training, job classifications/placements, disciplinary action, possible termination, and benefits.



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We expect all employees to show respect and sensitivity toward all other employees, customers, vendors, clients, co-workers, governmental personnel, etc. of Midwestern Construction, Inc., and to demonstrate a commitment to the company's equal opportunity objectives. If you observe a violation of this policy, you should report it immediately to your immediate supervisor or the Office Manager and/or Owner. Violation of this policy may result in disciplinary action, up to and including, possible termination.

AFFIRMATIVE ACTION PLAN

Midwestern Construction, Inc. has and shall continue to base decisions on employment so as to further the principles of Equal Employment Opportunity by hiring and employing qualified, reliable, productive employees without regard to race, color, religion, sex, sexual orientation, age, national origin, veteran's status, and mental and physical disability. In order to implement this policy, the Company has adopted an Affirmative Action Program.

Midwestern Construction, Inc. will cooperate with federal, State, or local government agencies that have the responsibility of observing our actual compliance with various laws relating to employment. The Company will furnish such reports, records, and other matters as required and/or requested in order to foster the program of equal opportunity for all persons regardless of race, color, religion, sex, sexual orientation, age, national origin, disabled and/or veteran status, or physical or mental disability.

The Company has designated the Controller as its Equal Employment Opportunity Officer. The Equal Employment Opportunity Officer is responsible for coordinating all aspects of the Equal Employment Opportunity process to assure non-discrimination and compliance with all applicable orders and guidelines. Questions and/or complaints concerning equal employment opportunity should be directed to the Company's Equal Employment Opportunity Officer.

BUSINESS ETHICS AND CONDUCT

The continued success of Midwestern Construction, Inc. is dependent upon our customers' trust and we are dedicated to preserving that trust. Employees owe a duty to Midwestern Construction, Inc. and its customers to act in a way that will merit the continued trust and confidence of the public.

Midwestern Construction, Inc. will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the Office Manager and/or Owner for advice and consultation.



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Compliance with this policy of business ethics and conduct is the responsibility of every Midwestern Construction, Inc. employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

IMMIGRATION LAW COMPLIANCE

Midwestern Construction, Inc. is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Midwestern Construction, Inc. within the past three years, or if their previous I-9 is no longer retained or valid. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Office Manager and/or Owner. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which Midwestern Construction, Inc. wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Owner for more information or questions about conflicts of interest. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of

Midwestern Construction, Inc. business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage. No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative that they disclose to an officer of Midwestern Construction, Inc. as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties. Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which Midwestern Construction, Inc. does business, but also when an employee or



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relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving Midwestern Construction, Inc.

OUTSIDE EMPLOYMENT

Employees may hold outside jobs as long as they meet the performance standards of their job with Midwestern Construction, Inc. All employees will be judged by the same performance standards and will be subject to Midwestern Construction, Inc scheduling demands, regardless of any existing outside work requirements. If Midwestern Construction, Inc. determines that an employee's outside work interferes with performance or the ability to meet the requirements of Midwestern Construction, Inc.as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with Midwestern Construction, Inc. Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside Midwestern Construction, Inc. for materials produced or services rendered while performing their jobs. It is unacceptable to work for yourself or someone else while you are performing your shift at Midwestern Construction, Inc. If you have any questions on this subject, please ask.

PER DIEM

Midwestern Construction, Inc. provides a conditional per diem to employees who have overnight stays out of town. The per diem is voluntarily paid by Midwestern Construction and contingent upon the employee returning company equipment and or tools in good clean condition at the end of the week. Leaving equipment dirty, abusing equipment, or not completing routine maintenance is reason for a supervisor to refuse payment of per diem for that pay period.

DRUG TESTING

The Company retains the right to require a drug and alcohol test under the following circumstances:

Whenever you are involved in an accident that results in bodily harm to any person or if there is significant damage to Company, employee, client, vendor, government, general public, etc. property.

1. If a person is injured on the job, then it is a Workers' Compensation **requirement** that you be drug tested.
2. Employees with a CDL operating under rules and regulations of federal or State DOT's

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are **required** to submit to drug and alcohol tests periodically, as well as whenever they are involved in an accident.

3. To comply with any contractual agreements with clients or customers, vendors, etc.
4. When an employee's immediate supervisor and/or any of the managers in the chain-of command have a reasonable suspicion (including, but not limited to, the failure of a Rapid Eye Check) that an employee or other person on Company property or Company work sites, is using or under the influence of drugs/alcohol/controlled substances, then there has been a violation of this policy. If you refuse to submit to a drug and/or alcohol test under the above stated circumstances, then you will be **immediately** terminated. Any employee who, as a result of drug testing and screening, is found to have detectable levels or identifiable trace quantities of a prohibited drug or substance in their system, regardless of when or where the drug or substance entered that person's system, without an explanation satisfactory to Midwestern Construction, Inc., will be considered to be in violation of this policy, and will be removed from Company property and/or Company work site and will be subject to disciplinary action, up to and including, possible termination. Preliminary findings of a policy violation may require that the employee be suspended, without pay, pending the results of a Company investigation. If the investigation clears the employee of any policy violation, then the employee will be fully reinstated to their position at their same rate of pay prior to the suspension.

TIMEKEEPING

Working in town and returning to the yard:

- Monday morning time starts when the safety meeting begins.
- Every other day of the week time starts when the truck leaves the yard unless there are repairs being made at the shop that takes additional time.
- Time stops when the truck parks at the shop at the end of the shift unless there are repairs being made at the shop that takes additional time.

When working out of town:

- Monday morning time starts when the safety meeting begins.
- Travel time is paid to and from the job site at the beginning and ending of the trip.
- Time starts when you arrive to the job site and work begins.
- Time stops when work has stopped at the job site.
- Work time is not paid for at the job site prior to work starting or after stopping.
- Travel time to other jobsites is paid for beginning at the time of travel.

Notes:

- Hour's work are to be turned in on a daily basis in writing.
- Reporting hours not meeting the above guidelines is considered theft.

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- Hours are reported in 15 minute intervals rounded to the nearest .25 hour.

REST AND MEALS PERIODS

All field employees who work more than six (5) hours in a given workday will receive an unpaid meal period of 30 minutes. In the field, it is up to you to determine the exact time of this break. You should consider your current location and the time it would take to get to a convenient spot for taking your meal break. Consequently, there is no exact time for taking your meal break on a daily basis. 30 minutes per day will be subtracted from your time sheet. Employees who do not work more than six (5) hours in a workday may not take a meal break without the expressed approval of their immediate supervisor. You are expected to be back at work within 30 minutes after you left for the start of your meal period. Leaving early and/or returning late is considered a serious offense and will lead to disciplinary action, up to and including, possible termination. A 15-minute break is to be taken in the morning and afternoons at a time and location appropriate for the job location.

ATTENDANCE AND PUNCTUALITY

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment. Employees should arrive with enough time prior to the beginning of their shift that they are ready to start work on time.

SAFETY

To assist in providing a safe and healthful work environment for employees, customers, and visitors, Midwestern Construction, Inc. has established a workplace safety program. This program is a top priority for Midwestern Construction, Inc. Its success depends on the alertness and personal commitment of all. Midwestern Construction, Inc. provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee weekly meetings. Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or



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dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment. In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

USE OF EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment. Drivers are to follow all State and Federal regulations for speed and travel way. Cell phones are not to be used while operating a vehicle or piece of equipment. All fluids and safety equipment are to be verified at the beginning of each shift prior to starting the item. All vehicles shall be cleaned out at the end of the shift and maintenance reports turned in when returning to the office.

EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, Midwestern Construction, Inc. expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Organization.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- * Theft or inappropriate removal or possession of property
- * Falsification of timekeeping records
- * Working under the influence of alcohol or illegal drugs
- * Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- * Fighting or threatening violence in the workplace
- * Boisterous or disruptive activity in the workplace



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- * Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- * Insubordination or other disrespectful conduct
- * Violation of safety or health rules
- * Smoking in prohibited areas
- * Sexual or other unlawful or unwelcome harassment
- * Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- * Excessive absenteeism or any absence without notice
- * Unauthorized absence from work station during the workday
- * Unauthorized use of telephones, mail system, or other employer-owned equipment
- * Unauthorized disclosure of business "secrets" or confidential information
- * Violation of personnel policies
- * Excessive use of cell phone for personal calls / texts during working hours
- * Unsatisfactory performance or conduct

Employment with Midwestern Construction, Inc. is at the mutual consent of Midwestern Construction, Inc. and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

EMPLOYEE BENEFITS

- **Personal Leave**

We will provide three (3) days of personal leave to all Full-Time employees who have completed one year of employment.

Temporary or part time employees are not eligible for paid personal leave benefits.

Personal leave is accrued at the beginning of each anniversary year of employment and cannot be carried into the next year. Personal leave may not be taken in the first 12 months of employment and is based in an 8 hours.

All personal leave is subject to prior approval by the supervisor and must be requested in 8 hours base.

No personal leave benefits are paid upon termination from employment for any reason.

FLEET & DRIVER PROGRAM / DRIVING PRIVILEGE GUIDELINES

Type I Violations

- Driving while intoxicated, impaired, or under the influence of alcohol or controlled substances.

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- Failure to stop and report an accident (Hit and Run).
- Assault, manslaughter or homicide arising out of the operation of a motor vehicle
- Driving while license is suspended or revoked.
- Reckless or careless driving.
- Speed contest, drag or highway racing.
- Using motor vehicle for a commission of a felony.
- Operating a motor vehicle without the owner's authority (Grand Theft Auto).
- Permitting an unlicensed person to drive.
- Speeding more than 20 mph over the posted speed limit.
- Any other conviction of a serious nature that shows a disregard for traffic safety.

Type II Violations

- Speeding less than 20 mph over the posted speed limit.
- Driving too fast for conditions.
- Unsafe lane change.
- Following too closely.
- Failing to stop at a stop sign.
- Equipment violations.
- No license and/or proof of insurance in possession. Any other moving violations other than Type I violations.

The severity of discipline, up to and including discharge remains in the discretion of the company. The following represent the anticipated range of disciplinary action based on the MVR findings:

Driver's License Points

3 points in a 3 year period -- Verbal Reprimand

6 points in a 3 year period -- Written Reprimand

9 points in a 3 year period -- Disqualification from driving and/or dismissal

Disqualification from driving and/or dismissal will occur for the following reasons:

- One or more Type I convictions in the last three years.

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- Three or more Type II convictions in the last three years.

Any combination of Type II convictions and at-fault accidents as recorded in the MVR or determined by the Safety Review Board (see below) totaling three or more in the last three years.

In a case where the MVR shows a violation or arrest, but not yet a conviction for a Type I violation, the driver will be suspended without pay until conviction. If the driver is not convicted, he or she is immediately eligible for restoration to a driving position.

If any employee is disqualified from driving, there is no obligation on the part of the company to place the employee in any other position.

EMPLOYEE TERMINATION POLICY

It is a company policy to ensure that employee terminations are handled in a professional manner with minimal disruption to ongoing work functions.

VOLUNTARY TERMINATIONS

Voluntary terminations of employment occurs when an employee informs his or her supervisors of employee's resignation or termination is deemed to have occurred when an employee is absent from work and fails to contact his or her supervisor prior to the beginning of the shift.

INVOLUNTARY TERMINATIONS

Discharge may be for any reason, i.e., misconduct, tardiness, absenteeism, unsatisfactory performance, etc. In some cases progressive discipline may be used, prior to termination, to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline.

FINAL PAY

GENERAL

An employee who resigns or is discharged will be paid through the last day of work. Final pay will be mailed to last address that we have on file on W-4 form and employee is not allow to come back onto property after he/she resigns or discharged.

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EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about Midwestern Construction, Inc., and I understand that I should consult the Office Manager and/or Owner regarding any questions not answered in the handbook.

I have entered into my employment relationship with Midwestern Construction, Inc. voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or Midwestern Construction, Inc. can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to Midwestern Construction, Inc.'s policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the chief executive officer of Midwestern Construction, Inc. has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

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