

THE BOARD OF DIRECTORS MEETING

August 22, 2019 | 12:30 pm

Offices of Denton County Transportation Authority | Administrative Boardroom
1955 Lakeway Drive, Suite 260, Lewisville, Texas 75057

NOTICE IS HEREBY GIVEN that there will be a NTMC Board of Directors Regular Meeting at the time and location above to consider the following:

CALL TO ORDER

1. REGULAR AGENDA

- a. Discussion and Approval of the North Texas Mobility Corporation Operator Handbook
- b. Discussion and Approval of the North Texas Mobility Corporation Staff Handbook
- c. Discussion and Approval of the Drug and Alcohol Policy

ADJOURN

BOARD MEMBERS:

Raymond Suarez, Chair
Dianne Costa
Connie White

OFFICERS:

Kristina Holcomb, NTMC President
Nicole Recker, NTMC Vice President
Marisa Perry, NTMC Treasurer
Brandy Pedron, NTMC Secretary

The Denton County Transportation Authority meeting rooms are wheelchair accessible. Access to the building and special parking are available at the main entrance. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by emailing bpedron@dcta.net or calling Brandy Pedron at 972.221.4600.

***CERTIFICATE** – I certify that the above agenda giving notice of meeting was posted on the bulletin board at the Corporation's offices, which are also the offices of the Denton County Transportation Authority, on 8/16/2019 at 3:58 PM.*


Brandy Pedron, NTMC Secretary



Employee Handbook

Operator

October 2019

NORTH TEXAS MOBILITY CORPORATION
Operator Handbook

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Forward

The North Texas Mobility Corporation (NTMC) Handbook provides the operating guidelines for employees. The guidelines contained in this handbook replace all previous rules, procedures and instruction for operators. Employees are also subject to the Standard Operating Procedures applicable to their position. Each employee must become familiar with the contents of this handbook by the completion of the initial training.

No one is authorized to make oral exceptions to this policy. Alternatively, any written exceptions may only be made with approval by the General Manager or NTMC Officers.

The rules and operating guidelines of the Handbook may be changed through notices and special instructions that will be made available in writing to all NTMC personnel. The NTMC intranet must be examined daily for special instructions. Whenever an employee has been off duty for any reason, upon return, the intranet should be checked and a supervisor should be contacted for clarification on any policy changes. When necessary, policy changes will be consolidated and reissued as revisions, which will be inserted into the NTMC Handbook and the outdated pages removed.

The Handbook is not intended to be an employment contract or agreement, nor does it contain promises or commitments to the employee of any kind. The contents should not be construed otherwise. Any references to, or discussion of, matters related to employment shall not be treated as a contractual agreement or guarantee of employment.

NOTE:

This Handbook applies to Operators represented by a labor union, to the extent that the Handbook's policies, procedures, rules, and discipline are not in conflict with a specific term or condition stated in the labor agreement. To the extent that the Handbook is in conflict with a term or condition of the Operator's applicable labor agreement, the provision in the labor agreement shall take precedence.

NORTH TEXAS MOBILITY CORPORATION (NTMC) EMPLOYEE HANDBOOK

Introduction

North Texas Mobility Corporation (NTMC) is committed to a goal of excellent performance by all employees. Our primary mission is to provide the best service possible to the public we serve.

It is our policy to recognize all employees both as a group and as individuals for exemplary or commendable performance on the job. Administrative and supervisory personnel are leaders whose objective is to assist all of our employees and the public we serve to provide the best service possible.

Whenever an employee is subject to discipline, the employee's total work record, including all violations, is reviewed before determining any penalty. Penalties for violations of multiple rules occurring during the same time period will be dealt with at the discretion of management. This code is not intended to provide rigid discipline guidelines on management or the employee when discipline is warranted. The seriousness of the violation is also a factor in the penalty assessed.

Recognizing that professionalism is a key element to the job function, each employee is responsible for learning, understanding and abiding by the rules and discipline contained in this code.

Welcome Aboard

We are happy to have you as part of the NTMC team! We believe that your talents and hard work will contribute to the success and growth of this agency. As chosen representatives of North Texas Mobility Corporation, let us strive as individuals and as an organization to make our service outstanding for courtesy and consideration to those whom it is our goal and pleasure to serve.

The success of NTMC depends on our ability to operate as a unified team. Each staff member plays a contributing role which allows NTMC to carry out the vision of this organization.

At NTMC we strive to practice the following core values each day:

- We care about our fellow co-workers and ourselves
- We give people the tools they need to do a quality job
- Our daily actions are guided by moral principles that we do not compromise
- We listen to each other and anticipate the problems that others might encounter in their jobs
- We answer questions straightforwardly and provide honest feedback and evaluation
- We set standards and apply them equitably
- We adapt to changing circumstances and routines
- We recognize that everyone has a role to play in making our system the best that it can be
- We trust that each person will perform a job responsibly
- We are serious about our work, but value a light-hearted, friendly workplace

We are very excited to have you join our team and believe that you can use your skills and talent to make our company reach new levels. Welcome aboard!

Linda Hapeman
General Manager
Bus Operations

SECTION 1 – EMPLOYMENT AT NTMC

OPERATOR HANDBOOK

The policies outlined in this Handbook summarize selected policies and procedures of NTMC. All policies, guidelines, rules, and procedures are periodically reviewed and evaluated, and are subject to change at NTMC's discretion. NTMC reserves the right to amend, revoke, replace or suspend any or all of the policies and procedures contained within this Handbook. Please refer to Collective Bargaining Agreement.

STATEMENT OF COMPANY OPERATING PHILOSOPHY

Providing our customers with safe, reliable and quality service is the vital ingredient to maintaining our customers' good will and thus perpetuating the Company's very existence. In this regard, our intention is to attract the highest quality team members to perform services for the benefit of the Company, the communities we serve, and the passengers we transport.

NTMC is committed to the payment of reasonable and competitive wages, and to providing employee benefits which reward each employee for their skills, efforts, cooperation, and results. We shall practice the fairest of person-to-person relations to assist in maintaining trust, confidence, and respect of all employees.

REQUIRED KNOWLEDGE OF RULES, REGULATIONS, AND PROCEDURES

Employees are required to be familiar with the contents of this Handbook. Lacking knowledge or understanding of the rules, operating procedures, special orders or special instructions will not excuse negligence.

All employees are subject to the rules, regulations and procedures outlined in this Handbook. An employee who does not understand the meaning of a rule, operating procedure, special order or instruction must request assistance from a supervisor.

SPECIAL ORDERS AND INSTRUCTIONS

Special orders and instructions are issued periodically in bulletins, notices and memos, postings on designated bulletin boards or posted to the NTMC intranet; unless otherwise noted these bulletins and notices remain posted for 30 days. Defacement or unauthorized removal of any posted material is grounds for disciplinary action. Regulations and procedures posted are to be followed during the stated period that they are in effect.

Failure to obey a clear and direct oral or written instruction from supervisory staff may be considered insubordinate behavior.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

North Texas Mobility Corporation (NTMC) is committed to the concept of equal opportunity in employment as a necessary element of the basic merit system principle and as a means of using and developing previously underutilized human resources. NTMC is committed to offering equal opportunity to all qualified employees and applicants for employment without regard to race, national origin, age, gender, sexual orientation, creed or religious opinions or affiliations, veteran status or disabilities and will comply with applicable State, Federal, and local laws. NTMC will take positive action and provide a fair system to ensure fulfillment of this policy in areas of recruitment, hiring, placement, promotion, transfer or demotion, and other terms, conditions and privileges of employment. Further, discriminatory harassment of employees, whether by managers or co-workers, will not be tolerated.

DISABILITY ACCOMMODATION

North Texas Mobility Corporation (NTMC) will meet the requirements within the Americans with Disabilities Act (ADA) as they pertain to employment. All obligations will be met with regard to applicants for employment, as well as current employees.

Employees and employment applicants shall provide timely notice and documentation of their disability, and if known, the accommodation(s) requested. NTMC will provide a reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to safely perform the essential functions of the position at issue. NTMC will not deny employment opportunities on the basis of the need to provide reasonable accommodation to the individual's physical or mental impairments, unless it would cause an undue hardship to NTMC or constitute a threat of safety to the disabled person or other persons. The employee must be able to perform the essential functions of his/her position, with or without reasonable accommodation to be considered qualified for his/her position.

An employee must notify NTMC immediately if he/she believes he/she has a condition that would in any way hinder his/her ability to perform any of his/her job duties safely. Employees must request an accommodation prior to any accident or violation of policy caused by the disability. NTMC will apply company policy and administer appropriate disciplinary action to employees involved in accidents or violations of policy, regardless of employee's level of ability or disability.

NTMC will not create vacant positions, offer reassignment to promotional positions, or waive job qualifications or probation in the disability accommodation process.

Providing reasonable accommodation does not create an employment contract or term or limit the reasons for dissolution of the employment relationship. Reasonable accommodation does not constitute an express or implied contract, nor any waiver of any right of NTMC.

Employees or applicants who have a complaint involving potential violations of the Americans with Disabilities Act, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately report such complaint to NTMC Human Resources.

LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. NTMC supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, reasonable accommodations will be made in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. NTMC will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact NTMC Human Resources for information and referral to appropriate services and resources.

IMMIGRATION LAW COMPLIANCE

NTMC 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. Employees with questions or seeking more information on immigration law issues are encouraged to contact NTMC Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

E-Verify. NTMC uses E-Verify for all verifications of employment. Every new employee must complete an I-9 Form in compliance with requirements of the Immigration Reform and Control Act (IRCA) before he or she can be hired as an employee. Re-verification of work authorization is required upon expiration.

If E-Verify cannot confirm that you are authorized to work, NTMC will provide you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so any discrepancy or issue can be addressed. NTMC does not discriminate based on an individual's citizenship status. However, all NTMC employees must be authorized to work legally in the United States. NTMC will do its best to work with the prospective employees to resolve E-Verify issues; however, NTMC will not guarantee or hold a position open for an individual who cannot be confirmed as legally authorized to work in the United States through the E-Verify system.

NATURE OF EMPLOYMENT

Employment with NTMC is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause.

Policies set forth in the 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 NTMC and any of its employees. The provisions of the handbook have been developed at the discretion of management and may be amended or cancelled at any time, at NTMC's sole discretion.

The policies and procedures contained in this handbook supersede all existing policies and practices and may not be amended or added to without the express written approval of the General Manager or NTMC Officers. Please refer to Collective Bargaining Agreement.

EMPLOYMENT OF RELATIVES

NTMC is committed to a policy of employment and advancement based on qualifications and merit. While NTMC does not prohibit the employment of relatives, it has established these guidelines to protect employees, further NTMC operations, and foster a culture of fairness.

NTMC will consider hiring or promoting relatives of individuals currently employed only if: a) candidates for employment will not work directly for or supervising a relative, and b) candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include (but are not necessarily limited to) hiring, performance, transfer, promotion, assignments, wages, and leave requests.

“Relative” is defined as one of the following: relationships by blood—parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece and first cousin; and relationships by marriage—husband, wife (as defined by state law), step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above and co-habituating couples or significant others. Persons who intend to marry or with whom the employee intends to form a domestic partnership or other intimate relationship are included in the definition of relative.

The Company reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives.

INTERPERSONAL RELATIONSHIPS

Employees are not permitted to engage in a dating relationship with another employee whom he or she supervises or by whom he or she is supervised, or where one party has influence over the other parties’ terms and conditions of employment. The Company reserves the right to take prompt action if an actual or potential conflict of interest arises involving romantic or intimate relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

To the extent possible, a supervisor who has had a former or “ex” familial or romantic relationship with a subordinate will not be involved in decisions relating to that subordinate’s promotions, raises, performance, termination, or other terms and conditions of employment.

Employees who have had or develop dating relationships with a non-supervisor/subordinate working in another department are expected to maintain a professional relationship. Should such a relationship interfere with NTMC’s operations, one of the parties to the relationship may be required to seek a transfer, change to a different department, or resign from employment.

EMPLOYMENT APPLICATIONS

NTMC relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

JOB DESCRIPTIONS

Each employee will be provided with a job description describing the functions and qualification for the position he or she holds.

EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join NTMC are well qualified and have a strong potential to be productive and successful, it is the policy of NTMC to check the employment references of all applicants.

NTMC Human Resources will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment and position(s) held. No other employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

EMPLOYEE MEDICAL EXAMINATIONS

Physical examinations required by the company to determine fitness for duty and all required physical examinations required for Commercial Drivers' License (CDL) purposes will be paid by the company.

If such physical examination shows the Operator to be incapable of performing his or her duties and said Operator is not satisfied with the decision, the Operator may, at his or her own expense, be examined by a physician of his or her own choice, who is a licensed medical doctor in the State of Texas. If the conclusion of the Operator's chosen physician and the physician designated by the company is at variance as to the Operator's capability to perform the required work, then the two physicians shall choose a third physician (who must be licensed in the State of Texas and have experience evaluating DOT medical cases), the cost of the third physician shall be divided equally between the company and the Operator, and a majority decision of the three physicians shall be considered final and binding. The third physician must render a decision based on a job-related qualifying standards adopted by the company and DOT standards and physical requirements.

DOT PHYSICAL RECERTIFICATION

NTMC will make every effort to inform each operator of the date of expiration of their Medical Examiners Certificate; however, it is ultimately the Operator's responsibility to ensure his/her Medical Examiners Certificate remain valid. . If the operator fails to obtain a valid Medical Examiners Card by the expiration date, the operator will be removed from service until such time that a valid Medical Examiners Certificate can be obtained. An employee who operates a bus with an expired or invalid DOT certification will be subject to discipline up to and including discharge.

NTMC will pay for one (1) appointment with a physician of its choice for renewal of operators' Medical Examiners' Certificate. If a conditional Certificate is issued by the NTMC appointed physician, the Operator must, at his or her own expense, be examined by a physician of his or her own choice, who is a licensed medical doctor in the State of Texas (and certified to administer DOT medical examinations) for the purpose of obtaining a non-conditional medical examiners certificate.

NTMC EMPLOYEE PRINCIPLES

For our employees, NTMC will strive:

- To treat you as a professional and provide a climate of trust, respect, integrity and honesty;
- To ensure a safe working environment through the development of safety programs, driving training and well-maintained equipment and facilities;
- To encourage two-way communication between you and management;

- To communicate the standards of your job and the requirements of our customers;
- To provide you with training to perform your job effectively;
- To recognize your need to maintain a balance of work, family, community and personal activities;
- To treat you as a valuable member of the NTMC team;
- Uphold an influential and welcoming communication style, while supporting a team-oriented and helping environment
- Foster a culture that encourages constructive feedback, engagement, inclusion, and diversity at all levels

As Professionals, our employees will strive:

- To represent NTMC in a professional manner to the customer, the general public and the transportation industry;
- To maintain the highest regard for safety;
- To provide our customers with consistent, high-quality service;
- To meet or exceed job standards and customer requirements;
- To maintain the highest standard of ethical and legal conduct and to encourage others to do the same;
- To properly care for all equipment;
- To take an active role in communicating ideas, issues and suggestions to management;
- Care for the organization's well-being and for his/her co-workers;
- Possess a positive attitude and practice good judgement;
- To be a valuable member of the NTMC team

SECTION 2 – ATTENDANCE, HOLIDAYS, & EMPLOYEE LEAVE

ATTENDANCE

Due to the critical nature of providing reliable passenger transportation service, Operators are subject to a no-fault attendance point system. The point values are as follows:

- Late for a Scheduled Shift 1 point
- Failure to Complete Entire Shift 1 point
- Failure to Complete at Least ½ of Shift 2 points
- Arrived Late and Missed Shift 2 points
- Absence (Called In) 2 points
- No Show, No Call/Miss Out 4 points

**For an absence spanning multiple consecutive days, only one set of points are distributed (i.e. if an employee is out three consecutive days with an illness, only two points are collectively given, not six)*

**Ten points in a floating 90-day period constitutes automatic termination.*

**Twenty points in any floating 12-month period constitutes automatic termination.*

Attendance Definitions:

- Late for Scheduled Shift occurs when an Operator is one (1) to five (5) minutes late for scheduled shift.
- Failure to Complete Entire Shift occurs when an Operator finishes more than half of the scheduled shift but does not complete the entire shift due to reasons that are not created by operational demands.
- Failure to Complete At Least ½ of Shift occurs when an Operator fails to complete at least one half of the shift due to reasons that are not created by operational demands.
- Arrived Late and Missed Shift occurs when an Operator is more than five (5) but less than thirty (30) minutes late and as a result does not cover their assigned shift.
- Absence (Called In) occurs when time off has not been arranged seventy-two (72) hours in advance of the absence, but the employee has called-in prior to the shift to notify supervision of the absence
- No Show, No Call/Miss Out occurs either when an Operator fails to show for an assigned shift without calling to notify their Supervisor, or when an Operator arrives more than twenty-nine (29) minutes late for an assigned shift. Three (3) consecutive workdays of No Show No Call/Miss Out constitutes job abandonment and will result in termination.

Absences which are protected by the Family Medical Leave Act (FMLA) are not included in determining excessive absences, provided the necessary forms have been completed and the employee has been notified that the time off was applied toward his/her entitlement. Time off for paid leaves, properly requested and approved under the Agreement, shall not result in an Attendance Point.

EXCHANGE OF DUTY (TRADES)

Employees may not exchange shifts or duties without prior written approval.

NOTICE OF ABSENCE OR TARDINESS

The Company needs advance notice of absences so that other arrangements can be made to cover routes. "Proper advance notice" means that you call the Company a minimum of two (2) hours prior to the start of your shift and personally notify supervisory staff of the absence, unless a verifiable emergency makes it impossible for you to do so. Three (3) consecutive days of absence without notice is considered job abandonment. Those operators will be subject to discipline up to and including termination.

Payment of eligible leave benefits is contingent upon submittal of proper documentation.

LEAVE OF ABSENCE WITHOUT PAY

The company may grant a leave of absence without pay and without loss of seniority to full-time Operators who have completed at least 12 months of employment, for good cause when requested by the employee in writing, as soon as possible in advance of the leave. Leave of absence shall not be granted for longer than six (6) months, except on a case by case review of the employee's work record and length of service. An employee who does not return to work on the specific day schedules for his or her return (absent extreme extenuating circumstances that prevented the employee from contacting the company) or who engages in employment with another employer while on such leave unless with the written approval of the company, will be considered voluntarily quit his or her employment with the company.

The company shall grant leaves of absence without pay and without loss of seniority to employees according to the provisions of the Family and Medical Leave Act (FMLA).

Medical leave of absence of an employee for a period in excess of FMLA may be granted with proper medical certification not to exceed a total of six (6) months, including FMLA, to full-time employees who have completed at least 12 months of employment.

An employee on approved leave of absence from the company shall continue to retain his or her seniority and shall return to the same classification he or she held prior to the leave.

Operators returning from an approved Leave of Absence must contact the company at least seven (7) calendar days in advance in order to arrange for completing return to work requirements.

HOLIDAYS

Holidays should apply to full-time Operators only. Seasonal Operators are not eligible for Holidays. Operators shall receive the following Holidays. If scheduled to work a five-day week, the Operator will receive eight (8) hours pay, and Operators working a four-day week will receive ten (10) hours pay for holidays which fall on a work day or eight (8) hours pay if the holiday falls on a scheduled day off.

- New Year's Day
- Memorial Day
- Fourth of July
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

In order to be eligible for holiday pay, an Operator must work the last scheduled work day before the holiday, the first scheduled work day after the holiday and the holiday itself (if it is a scheduled work day).

Operators on military leave, suspension, layoff, or otherwise not available, are not entitled to holiday pay.

Operators must have completed their probationary period in order to be eligible for holiday pay.

BEREAVEMENT LEAVE

Bereavement Leave shall apply to all full-time Operators only.

Full-time Operators who have completed their probationary period will receive up to three (3) consecutive days, with pay on such scheduled work days or hours, at the applicable straight-time hourly rate due to absence by reason of death of a person in the employee's immediate family.

Compensation for time lost from scheduled work hours will be paid under the following conditions:

- Compensation will not be paid unless the employee loses scheduled work time.
- Immediate family is defined as spouse, children, step children, and father, mother, brother, sister, grandparent, mother-in-law and father-in-law or any other relative in the employee's household at time of death.
- The company, at its discretion, may require proof of the employee's relationship through an obituary or newspaper notice, statement of funeral director or attending physician, death certificate or other source.
- Additional time off without pay may be allowed if a need is demonstrated and this is approved in advance by the General Manager. Any earned and unused vacation days must be used for required and approved additional days off.

JURY DUTY

Jury Duty shall apply to full-time Operators only.

Operators shall be released from work with pay on the workdays serving on jury duty, not to exceed seven (7) days over the life of the Collective Bargaining Agreement. Pay for jury duty shall be eight (8) hours at the Operator's regular rate of pay. Pay will be granted under the following conditions:

- The Operator shall present to a supervisor evidence of the summons to jury service immediately upon receipt of such summons.
- The Operator must actually suffer a loss of scheduled work time through jury duty attendance.
- The Operator must remit to the company a properly endorsed and signed check received as a result of jury service. Said jury compensation is to be turned over within five (5) days of receipt of same.
- Upon each day's release from jury duty, the Operator shall immediately notify his/her supervisor to determine when he/she will return to service.
- If jury service falls during the Operator's vacation, he/she shall be able to select another open vacation slot.

Operators who are required by the company or required, as a result of completing a company accident or incident report, to attend a court or hearings on regular working

days, shall receive pay for earnings lost. Operators required by the company to attend court on their days off will receive actual time spent in court (including travel time) at their regular straight-time hourly rate.

PAID TIME OFF (PTO)

Paid Time Off shall apply to full-time Operators only.

Operators will accrue the following amounts per pay period and once it is earned will be eligible to use the hours for paid time off:

	0 – 3 years	4 – 5 years	6+ years
Accrual	4.62 hours	5.23 hours	6.25 hours

These hours can be used for personal time off (e.g. vacation, sick leave, inclement weather route cancellations, and birthday). However, the usage can be for not less than four (4) hour increments.

Operators shall be allowed to carry over from one year to the next a maximum of sixty (60) hours. If not used, these hours shall be lost. The company will, however, allow employees until January 31 of each leave year to use any unused hours.

Eligible employees are able to use PTO in increments of four (4) hours if the employee works a five-day week, and five (5) hours if the employee works a four-day week. Employees are eligible to carryover a maximum of 60 hours from one leave year to the next, allowing until January 31st to use hours, until being carried over. Any hours in excess of sixty (60) will be lost if not used by January 31st.

MINIMUM NOTICE FOR TIME-OFF

A minimum of seventy-two (72) hours advance notice of request for time off is required. Time off must be taken at the convenience of the Company to maintain required schedules. Leave requests may be denied due to manning needs. Notification of approval or denial will be communicated within forty-eight (48) hours of the requested leave date.

The following stipulations are required for any submitted time-off request:

- Requests must be submitted within seventy-two (72) hours prior to the first day of leave.
- Any requests submitted after 5:00pm on Friday will not be processed by a supervisor until the first business day of the following week.
- Any time off that spans one week or longer is required to be submitted at least two (2) weeks in advance due to operational needs.
- An employee has the right to appeal any denied time off request. Appeals should be communicated to either the Operations Manager or the General Manager.
- Time-off requests are not based on seniority.

RETURNING FROM ILLNESS

Employees returning from illness must notify NTMC Human Resources, in person or by telephone, before 2:00 p.m. the day before resuming duty to assure an available run. Employees who fail to inform NTMC Human Resources concerning their return to duty date will not be allowed to work, if their assignment has been covered. Employees may be required to provide fitness for duty paperwork or obtain clearance from the

Company's physician before returning to work. Employees who have been absent due to illness for thirty (30) or more days will be required to obtain clearance from the Company's physician before returning to work.

INCLEMENT WEATHER/EMERGENCY CLOSING

Except for extraordinary circumstances, NTMC offices do not close. All NTMC employees, whether exempt or non-exempt, are expected to make a sincere effort to report to work during inclement weather conditions or other emergency situations.

Communication. The NTMC General Manager or Officers will communicate all closings of departments, offices and/or services.

Employee Notification. If an employee determines that the weather conditions constitute a danger to life and/or property, the employee must notify his/her immediate supervisor and make arrangements to report to work if weather conditions improve.

Payment for Leave. For any leave taken due to inclement weather, an employee may charge to PTO or SPTO. Regular full-time employees who have no accrued time available will take the time as unpaid leave.

If a route is cancelled because of inclement weather, the company will contact the employee to notify the employee of the cancellation. If the employee is not contacted and shows up at the location for the route, the employee will be paid two (2) hours, or for time actually worked if greater, at their regular wage. Employees will be responsible for monitoring all media outlets for notification of any closing.

MILITARY LEAVE

All employees enlisting or entering the military service of the United States, pursuant to the provisions of The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994 shall be granted all right and privileges provided in the Act.

FAMILY MEDICAL LEAVE ACT (FMLA)

NTMC abides by all provisions of the Family and Medical Leave Act of 1993 (the "FMLA"). Family and Medical Leave is available for all employees who have worked for NTMC for at least twelve months and during which they have worked at least 1250 hours. Hours worked for TMDC shall count towards an employee's qualification for FMLA, so long as there was no break of employment between the employees' term of employment with TMCD and its successor, NTMC.

The following is a summary of the major terms of our FMLA policy. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

An employee on leave will be fully relieved of their work and prohibited from performing any work while on FMLA leave. Only when necessary, NTMC may make sporadic contact with employee posing general questions or to wrap up a job the absent employee was working on. Making these sporadic calls is not an FMLA violation because the employee is not being asked to perform any type of work.

Absences due to illnesses or injuries which qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance.

NTMC will provide an eligible employee up to a total of twelve weeks of unpaid leave during a twelve-month period (measured forward from the first date an employee takes leave) for any of the following reasons:

Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child, or parent who has a serious health condition;
 - a serious health condition (as defined by the FMLA) that makes the employee unable to perform the essential functions of his or her job;
 - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent of the employee is a covered military member on "covered active duty;" including National Guard or Reserves **or**
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

FMLA leave is also available to an employee who is the spouse, child, parent, or nearest blood relative of a member of the Armed Forces, including the National Guard or Reserves, who has sustained a serious injury or illness in the line of duty, provided that such injury may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating ("Caregiver Leave"). An employee is entitled to a total of 26 work weeks of Caregiver Leave during a twelve-month period to care for the service member. Caregiver Leave is only available during a single 12-month period.

If an employee takes Caregiver Leave, 26 weeks is the maximum numbers of weeks that will be granted to the employee for leave, even if the employee is also eligible for other FMLA leave during the twelve-month Caregiver leave period.

Procedure for Requesting FMLA Leave. All employees requesting FMLA leave must provide the NTMC Human Resources with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the NTMC Human Resources will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day.

When the need for FMLA leave is not foreseeable, the employee must comply with the company's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave. Within five business days after the employee has submitted the appropriate certification form, the NTMC Human Resources will provide the employee with a written response to the employee's request for FMLA leave.

Certification for the Employee's Serious Health Condition. NTMC will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition (FORM WH-380-E).

NTMC may directly contact the employee's health care provider for verification or clarification purposes. Before the Company makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, NTMC will obtain the employee's permission for clarification of individually identifiable health information.

NTMC will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition (FORM WH-380-F).

NTMC may directly contact the employee's family member's health care provider for verification or clarification purposes. Before NTMC makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the company will obtain the employee's family member's permission for clarification of individually identifiable health information.

Recertification. NTMC may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Using PTO Time. If an employee has any earned and unused time when he or she goes out on FMLA leave or a personal leave the employee must use his/hers paid time-off days first. After all PTO time has been exhausted, the remainder of the employee's FMLA leave will be unpaid.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Employee Status After Leave. After timely returning from FMLA leave, an employee will be restored to the same or equivalent position. An employee who takes leave under this policy will be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Key Employee Exception. Certain key employees may be denied restoration to his or her same or equivalent position if such restoration would cause substantial and grievous economic injury to NTMC's operations. Key employees will be provided written notice of their status as a key employee, the reasons for denying job restoration, and will be afforded a reasonable opportunity to return to immediately return to work.

Benefits While on Leave. During FMLA leaves of absence, NTMC will continue your group health insurance benefits on the same terms as we provide coverage to other employees who are not on leave. This means that if premium payments for insurance coverage are deducted from your paycheck, you must make arrangements to pay the required premium amount each pay period while you are on leave. If you fail to make any required premium payment, your coverage may lapse and you may cease to have benefits. If a discontinuation of your benefits occurs, you will, of course, be provided with notice of your COBRA insurance continuation rights at that time.

Intent to Return to Work from FMLA Leave. The company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Intermittent Leave or a Reduced Work Schedule. The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

SECTION 3 – MEDICAL, FINANCIAL, & SURVIVOR BENEFITS

HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (HIPAA)

Confidentiality of Medical Information. Federal law requires that NTMC maintain all employee medical information in separate, confidential files. Therefore, in addition to personnel files, NTMC maintains a separate medical file for each employee. NTMC Human Resources maintains these confidential medical files.

Records Retention. Examples of information that may be provided to NTMC by an employee's health care provider, and maintained in the confidential medical file, include:

- a. a note to justify an absence;
- b. a note to request a leave;
- c. a note to verify the employee's ability to return to work;
- d. medical records to support a claim for sick pay or disability benefits;
- e. insurance records; and
- f. workers' compensation records.

Employee Rights. It is important that employees understand that the records are confidential, but that the confidentiality may be waived when the employee provides medical information to his/her supervisor or NTMC Human Resources. When an employee provides information to his/her supervisor, the supervisor is expected to share the information only on an "as needed" basis to other members of management.

Limitations. In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of their coworkers' medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors or anything else that may constitute an invasion of a coworkers' privacy or breach of confidence.

GROUP HEALTH CONTINUATION COVERAGE (COBRA)

COBRA is a federal law that requires most employers who sponsor group health plans to offer employees and their families the opportunity to temporarily extend their group coverage at group rates in certain instances where coverage under the employer's group health plan would otherwise terminate. The employee is responsible for paying for the cost of any such continuation coverage, plus a small administration fee.

Eligibility. Under COBRA, employees may elect COBRA continuation coverage for up to 18 months after termination of employment (unless the employee is terminated due to gross misconduct), or if an employee's hours are reduced to such an extent that the employee no longer qualifies for participation in the group health plan. Under other circumstances, COBRA coverage is available for up to thirty-six (36) months following a qualifying event.

Notification. Employees must notify NTMC within 60 days of the occurrence of the employee's legal separation or divorce, and/or of a covered dependent ceasing to qualify as a dependent under the medical plan. Detailed COBRA notices are given to employees when an employee becomes eligible for participation in NTMC's group health plan and again when a qualifying event

occurs. For more complete information on COBRA and your health plan, you should review your summary plan description, or review a copy of the full health plan, with NTMC Human Resources.

WORKERS' COMPENSATION

Workers' compensation benefits provide compensation for employees who are injured while in the course and scope of employment. These benefits include payment of all reasonable and necessary medical expense(s) relating to the injury, as well as compensation for lost wages, if the employee should miss time from work.

Notification. Employees will immediately report any on-the-job injury to their supervisor and to the Safety, Security & Training Manager. The Safety, Security & Training Manager will file any workers' compensation report required.

Payment for Leave. An employee who is injured on the job and is sent home, or to a hospital, or who must obtain medical attention, will receive pay at the applicable rate for the balance of the employee's regular working day. An employee who has returned to regular duties after sustaining a compensable injury, and who is required by the workers' compensation doctor to receive additional medical treatment during regularly scheduled working hours, will receive the regular rate of pay for such time.

You become eligible for Temporary Income Benefits (TIBs) after you miss more than seven (7) days from work. You have disability if your work-related injury or illness causes you to lose all or some of your usual pay. Benefits are not paid for the first week of lost wages unless disability lasts for two (2) weeks (14 days) or more. TIBs end at the earlier of:

- the date you reach maximum medical improvement (the point that your work-related injury or illness has improved as much as it is going to improve);
- the date you are again physically able to earn your average weekly wage that would be the same wages you were earning prior to being injured on-the-job; or
- at the end of 104 weeks.

Leave Accrual. Employees receiving workers' compensation benefits will not receive or accrue paid time off. No PTO leave shall be paid for a period covered by workers' compensation benefits.

Violations. Failure to report in, failure to cooperate with an accident investigation, misrepresenting any facts concerning a workers' compensation injury, missed medical appointments, or refusal of employment offers, may result in disciplinary action up to, and including, termination.

Drug Testing. Any report of injury requiring medical treatment, other than first aid, will require a drug/alcohol screen.

HEALTH INSURANCE

Insurance shall apply to full-time Operators only. The company shall make available group medical insurance to each operator on the first of the month following sixty (60) days of employment. The contribution shall be as follows:

Effective January 1, 2019	Employer Contribution to the Monthly Cost	Employee Contribution to the Monthly Cost
Employee Only	100%	0%
Employee + Spouse	80%	20%
Employee + Child(ren)	80%	20%
Employee + Family	80%	20%

Health insurance rate increases are anticipated and could occur during each renewal period. In the event the premium increases over 15% the company, with the Union's assistance, may reduce the coverage and/or change carriers so that the increase will not be greater than 15%. Such reduction in coverage or change in carriers would only be to the extent to limit the increases to 15%.

The company shall make available dental insurance to the employee. The monthly contribution rate shall be as follows:

DENTAL	Total Cost – High	Total Cost - Low	Employee Cost	
Employee Only*	\$19.47	\$15.48	\$0.00	
Employee + Spouse	\$38.41	\$30.49	\$8.45	\$6.71
Employee + 1 or more children	\$42.28	\$31.37	\$9.72	\$7.22
Employee + Family	\$66.86	\$50.34	\$20.73	\$15.61

Dental Insurance rate increases are anticipated and could occur during each renewal period. Any increases in the monthly dental insurance premium shall be shared equally (50/50) between the company and the employee with the company paying 50% and the employee paying 50% of any increases. In the event the premium increases over 15% the company, with the Union's assistance, may reduce the coverage and/or change carriers so that the increase will not be greater than 15%. Such reduction in coverage or change in carriers would only be to the extent to limit the increases to 15%.

The company shall make available vision insurance. Employees electing employee-only coverage shall pay 0% of the premium and the company shall pay 100% of the premium. Employees electing dependent coverage shall pay 50% of the additional premium and the company shall pay 50% of the additional premium.

The Union and the company agree to adopt and institute a 125 plan in accordance with the IRS tax code.

The company will provide short-term disability and long-term disability insurance for full-time employees at no cost to the employee. Short-term disability insurance shall pay at a rate of 66% of the employee's regular weekly salary NOT TO EXCEED a benefit of \$300 per week for a total of 13 weeks. Long-term disability shall pay at a rate of 60% of the employee's regular monthly salary NOT TO EXCEED 24 months.

The company will provide \$30,000 of life insurance for full-time employees at no cost to the employee.

HEALTH INSURANCE WHILE ON LEAVE

Group health care coverage will continue for employees on leave as if they were still working. Employees who are granted an approved leave of absence are advised to arrange to pay their share of premiums during the absence. If the leave is paid, premiums will continue to be paid through payroll deductions. If the leave is unpaid, employees are responsible for making sure the company receives premium payments by check no later than the 25th of the month preceding the coverage month, covering amounts for all elected benefits. If payment is not received by the 25th of the month preceding the coverage month, NTMC is able to terminate benefits. NTMC Human Resources will provide a schedule of payment amounts and due dates at the beginning of any unpaid leave of absence.

If an employee chooses not to return to work after an approved unpaid leave of absence, NTMC may recover from the employee the cost of any payments made to maintain the employee's health insurance. Benefit entitlements based on length of service will be calculated as of the last paid work day before the start of the unpaid absence.

SECTION 4 – COMPENSATION

PAYROLL PROCEDURES

NTMC Human Resources will use the individual route profiles for establishing the work day of all drivers. Employees will use the designated timeclocks to clock-in/clock-out for their shifts, and to sign-in for a route to designate schedules onto their timesheet. Supervisors will review and approve all timesheets each payroll period to verify correct hours were worked, and the correct employees are coordinated to the correct route/schedule each day. Employees cannot clock-in more than 15 minutes prior to the start of their scheduled shift.

All employees must review their timesheets daily to ensure accuracy. All timesheets and changes should be made prior to 6am on Monday mornings. Any time that needs to be corrected, and is noticed after this deadline, will be amended on the following payroll. Additionally, employees are responsible for entering their time-off requests into the payroll system for supervisor review. Employees are responsible for ensuring that time-off requests have been approved and on their timesheets. Any issues that arise, whether a timesheet or time off complication, should be communicated to a supervisor to be corrected.

Making false statements regarding time worked will not be tolerated. Any employee who knowingly falsifies their time or assists in the falsification of another employee's time will be subject to discipline, up to and including termination.

DIRECT DEPOSIT

To reduce risk for both the employee and the Company, no physical checks are administered through payroll. Therefore, direct deposit is required for all NTMC employees. Please contact NTMC Human Resources for assistance in setting up direct deposit.

BIOMETRIC INFORMATION

NTMC intends to collect and use certain biometric data from our employees. This includes, but is not limited to, the use of fingerprints to access facilities and/or timeclocks. No biometric information will be stored, and it will not be used without the knowledge of the employee. Upon termination, all biometric data will be deleted, and will not continue to be stored.

RATE OF PAY

Rates of pay shall be set by the Collective Bargaining Agreement, for bargaining unit employees. Each employee will be notified of their rate of pay and any changes thereto. Generally, overtime pay for non-exempt employees is at the rate of 1.5 times the employee's regular hourly rate of pay for hours actually worked in excess of forty (40) hours in NTMC's work week.

OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime work will be paid at a rate of 1.5 times the employee's pay rate.

Overtime pay is based on actual hours worked. Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour

requirements. Time off, holidays, or any leave of absence, including jury/witness duty leave and bereavement leave, will not be considered hours worked for purposes of performing overtime calculations.

All overtime must be approved by a supervisor or manager in advance. Employees who work unapproved overtime shall be subject to discipline, up to and including termination.

STATEMENT OF WAGES

NON-CDL CLASSIFICATION	Effective first pay period after 4/1/2018	Effective first pay period after 4/1/2019	Effective first pay period after 4/1/2020
48+ months	\$17.28	\$17.84	\$18.61
36-48 months	\$16.75	\$16.90	\$17.10
24-36 months	\$15.75	\$15.90	\$16.10
12-24 months	\$15.00	\$15.25	\$15.50
0-12 months	\$14.50	\$14.75	\$15.00

Operators in the CDL Classification (including all existing operators at the time of ratification) shall be paid the CDL Classification rate.

CDL CLASSIFICATION	Effective first pay period after 4/1/2018	Effective first pay period after 4/1/2019	Effective first pay period after 4/1/2020
48+ months	\$18.78	\$19.34	\$20.11
36-48 months	\$18.25	\$18.40	\$18.60
24-36 months	\$17.25	\$17.40	\$17.60
12-24 months	\$16.50	\$16.75	\$17.00
0-12 months	\$16.00	\$16.25	\$16.50

Step increases will take effect the first pay period after the employee's anniversary date.

Management will offer CDL training for Non-CDL Operators. If Non-CDL Operators obtain their CDL, they may bid on open positions in the CDL Classification, by seniority. Once Non-CDL Operators are awarded a position in the CDL Classification, they will receive the CDL Classification rate.

All extra board Operators shall be trained on all routes. Non-Extra Board operators shall not be allowed to drive a route unless they have been trained on it.

The company shall determine the appropriate training rate. Instructors when training shall be paid an additional one dollar (\$1.00) per hour, while instructing trainees.

PAY DEDUCTIONS AND SETOFFS

In accordance with the Internal Revenue Code, the Company will deduct Federal Income Tax and Federal Insurance Contributions Act (FICA) each pay period. FICA consists of Social Security and Medicare taxes and are paid by employee and employer. NTMC matches the amount of Social Security taxes paid by each employee.

All employees must complete a Withholding Exemption Certificate (IRS Form W-4) at the start of employment. If you wish to make any changes to your W-4, you may submit an updated W-4 to Human Resources.

NTMC offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs. Employees may request or agree to additional deductions from their pay. Any voluntary or agreed upon deductions will be shown on the pay stub. Wage garnishments of employee paychecks will be processed in accordance with governing federal or state legislation.

Additionally, should you have a debt or obligation to NTMC or a third party, you will be required to sign a wage deduction authorization for a pay set off to pay back your debt or obligation to NTMC or a third party.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor or NTMC Human Resources can assist in having your questions answered.

PAYDAY

The workweek shall begin at 12:01am on Sunday and shall end at midnight Saturday. Operators will be paid biweekly, with payday on alternate Fridays; this schedule is subject to change. Employees' checks shall be available for pickup by 10:00am on the scheduled payday. A pay shortage due to the company error in excess of one day's pay in a workweek will be paid no later than seventy-two (72) hours, excluding Saturday and Sunday, of the date of the company is notified by the employee, unless the company and the employee agree otherwise. The company shall make available to all employees copies of their pay hours prior to the submittal to the payroll company. If a regularly scheduled payday is on a holiday, the employee's checks will be available the business day prior.

PAY ADVANCES

NTMC does not provide pay advances on unearned wages to employees.

ADMINISTRATIVE PAY CORRECTIONS

NTMC takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee must promptly bring the discrepancy to the attention of NTMC Human Resources or the General Manager so that corrections can be made as quickly as possible.

WORKWEEK AND PAY ALLOWANCES

The workweek shall begin at 12:01am on Sunday and shall end at midnight Saturday. Employees shall be paid bi-weekly. When a reduced service holiday falls on the payday, checks will be distributed on Thursday.

The normal workweek will consist of four-day, or five-day schedules. It is recognized that operating conditions and scheduling issues prevent consecutive days off; however, it is the objective of the company to maximize consecutive days off to the extent practical.

Time and one half shall be paid for all hours actually worked in excess of 40 hours per week.

Employees are required to perform a pre-trip inspection of their bus prior to departure from the facility when their bus trip starts from the garage. The company will pay fifteen

(15) minutes for performing the required pre-trip inspection. When performing a relief, the Operator will perform a safety walk around inspection when taking over the bus, and then a vehicle inspection at subsequent layover points. The company will pay five (5) minutes for performing required post-trip inspections.

An Operator who returns to the facility late due to mechanical failure, accidents, weather conditions, traffic delays, heavy passenger loads, or as directed by the company, will be paid for all such time, upon reporting the late arrival to the dispatcher.

Operators are paid for all time while in control of his or her assigned company vehicle, including travel time between the facility and the start or end location of the Operator's work.

Each Operator will be paid actual time for each properly completed accident report required by the company.

Operators in revenue service shall be permitted to consume food and drink on the bus at layover points when time permits, but it must not interfere with the Operator's regular duties.

If a route is cancelled because of inclement weather, the company will contact the employee to notify the employee of the cancellation. If the employee is not contacted and shows up at the location for the route, the employee will be paid two (2) hours, or time actually worked if greater, at their regular wage. Employees will be responsible for monitoring all media outlets for notification of any closing.

SELECTION OF WORK ASSIGNMENTS

There shall be at least three (3) General Bids each year. Bids will be by Classification Seniority. Non-CDL Operators shall bid after all CDL Operators have had the opportunity to bid.

The company shall post the date and time of the General Bid and the bid sheet at least fourteen (14) calendar days prior to the date of the General Bid with a copy sent to the local Union. The company will provide a bid sheet containing all pertinent information (including assignment times, days off, and weekly hour totals), and a current seniority list indicating the driver's name, seniority number, and time designated to bid.

All Regular and Part-Time runs will be bid during the General Bid by seniority in the following manner:

- The bid will be conducted on a single day in a location designated by the company. Each drive will bid in seniority order and be given ten (10) minutes to bid.
- Proxy bidding shall be allowed, but all proxy bids must be completed on an official signed form, by 5:00pm the day before the bid. A driver who submits a proxy bid shall leave his or her choices of work, in priority order, with the Union Steward of his or her designee. To assure that a driver receives his or her most preferred choice of work available, the driver shall leave the number of choices equivalent to the driver's bid position.
- If a driver reports late to his or her designated bid time, the driver who is bidding during that time period shall finish his/her bid selection and the tardy driver will bid next.

- If no bids are received on any run posted, the run will be awarded to the least senior driver who did not bid, excluding extra board operators.
- If a driver is inactive or has been off work thirty (30) days or more prior to the bid, excluding reductions in service, that driver must be actively working in order to bid on a run. An employee must have returned to active duty for at least five (5) working days before the bid. For the purpose of this policy, retraining or performing regular duties constitutes active duty. If such a driver returns before the next bid, he or she shall be assigned any available work as an Extra Board driver until the next bid.
- The company will advise any affected driver, in advance, of any change in his/her run. If a run changes by more than thirty (30) minutes per day; the driver will be able to choose to keep the run, select another open run until the next bid, or transfer to an open Extra-Board position.
- Drivers who fail to bid before the bid closes, and who have not submitted a proxy, at the conclusion of all bidding, will be assigned the same run, if open, or an open run as close as possible to their previous run.

Any run that comes open temporarily for a known period of time will be worked from the Extra Board. For any run that comes open permanently the company shall accept bids from any driver and award by company seniority in the following order: full-time, part-time, and seasonal. However, Operators bidding into a different classification shall be placed at the bottom of the new classification. In the event that any work remains open after offering it to all active drivers, the work will be offered to new hire drivers. It will be awarded according to their new hire lottery status. The new hire will be placed at the bottom of the classification seniority list at that time. Work left open shall rotate daily on the extra board.

Management agrees to maintain at least 11 of its fixed routes as routes requiring a CDL to operate, contingent upon continued participation by the City of Denton and the University of North Texas.

Extra Board Operators will bid on all known open work for the week in a rotating seniority order. (example: Operator one will bid first in week one and then bid last in week two and work their way back up to bid first.)

A full and up-to-date bid sheet will be made available for bidding by the Tuesday prior to the Monday the bid starts.

Extra Board bids shall not be changed, unless work is canceled, the regular Operator returns to work, or the work is bid on by a new hire, without the Extra Board Operator first being notified. If an Operator is needed to work more than what they bid on, they must be asked before being assigned a double.

A voluntary work list will be established to operate work that is available after the Extra Board had been "exhausted" (work that is left over after the Extra Board has bid). The list will operate Monday through Sunday of each week, and Operators who place their names on the list no later than 1700 (5:00pm) Friday will be placed in rotation for the following week according to company seniority. An Operator may place their name on the list after the Friday deadline and will be placed on the list after other Operators who signed up prior to the 1700 (5:00pm) Friday deadline.

An Operator who signed the list by the deadline will be assigned work based on company seniority, for which they are available, and each available Operator thereafter in order of company seniority. Operators who placed their name on the list after the 1700 (5:00pm) Friday deadline will be treated as first-come first-serve after all the Operators who signed up before the 1700 (5:00pm) Friday dealing are assigned in order of company seniority. "Available" is defined as no conflict between the Operator's regular schedule or maximum hours-of-work limitations. An Operator who signs the list then declines extra work will be subject to the company's attendance policy.

- An Operator on standby must be certified by the training department stating they are able to drive any route that comes open. All Operators who sign up for the Voluntary Work List will be trained on all routes and equipment.
- Routes will be assigned to Operators by company seniority if they are being assigned from the voluntary work list.
- Standby will have a two (2) hour minimum and maximum of eight (8) hours. Dispatch will determine the need and length of time. (8-hour maximum will only apply to Extra Board Operators. Connect, Access, or UNT Operators on standby will not be allowed more than 4 hours of standby time).
- Each Operator shall be responsible for signing their name to the Voluntary Work List
- No Operator shall be required to work more than ten (10) hours without having nine (9) consecutive hours off duty, unless agreeable to them.

In case of any need for any exception to this section, Management shall consult with Union employee representatives.

Special Events/Movements that are scheduled for at least four (4) hours and require at least two buses shall have a separate signup sheet posted.

SENIORITY

It is agreed that the principle of seniority for all full-time, part-time, and seasonal Bus Operators covered by the Collective Bargaining Agreement shall apply to bidding of work assignments, vacations and holidays, extra work assignments and layoff as provided herein.

Company seniority for newly hired operators will be established on the date of release from the Training Department which indicates revenue service date. In the event that more than one newly hired operator is released from the Training Department on the same day, company seniority will be established using the date the employees began training. If the employees began training on the same date, a lottery system shall be used to break the tie.

Employees will bid based on their seniority within their classification. There shall be two Operator classifications: CDL Operators and Non-CDL Operators. Management will designate which routes require a CDL Operator. CDL Operators may select a CDL-required route or a route that does not require a CDL. However, if during the bid process, there are the same number of available CDL-required routes remaining as there are CDL Operators remaining, the remaining CDL Operators must bid on one of the remaining CDL-required routes.

Part-time operators may bid for full-time positions when they become available by their part-time seniority. If a part-time driver bids full-time, the date he is scheduled to become full-time shall become the established seniority and service date for this driver.

In the event two or more part-time drivers are scheduled to begin work on the same day as full-time drivers, they shall maintain the same seniority rank they held as part-time drivers.

An employee shall lose all seniority rights and shall be considered terminated for the following reasons:

- If he/she resigns;
- If he/she is discharged for just cause;
- Failure to return to work from layoff;
- Failure to report to work after a leave of absence;
- No Call/No Show for work three (3) consecutive days;
- Retirement;
- Misuse of leave as a subterfuge, to accept employment elsewhere, or for a purpose other than stated upon request to leave.

EMPLOYMENT TERMINATION/RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with NTMC. The paycheck for an employee who resigns will be prepared for the next scheduled payday.

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. NTMC will generally schedule exit interviews at the time of employment termination. The exit interview may be used to discuss such issues as employee benefits, conversion privileges, repayment of outstanding debts to NTMC, or return of NTMC-owned property. Suggestions, complaints, and questions can also be voiced. A mailing address will be required from all employees terminating employment from NTMC. This will allow NTMC to mail out the end of the year W-2 to the former employee. If an employee is terminated, his or her paycheck will be prepared and available within six days of termination. Employees terminated for cause will not be paid for accrued leave, including Paid Time Off (PTO), or Seasonal Paid Time Off (SPTO).

Employee benefits will be affected by employment termination in the following manner. All accrued, vested benefits, including accrued Paid Time Off (PTO), that are due and payable at termination will be paid, if written notice of resignation is given. Some benefits may be continued at the employee's expense if the employee so chooses, through COBRA. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

RETURN OF PROPERTY

Employees are responsible for all NTMC property, materials, or written information (i.e. handbooks) issued to them or in their possession or control. Employees must return all NTMC property immediately upon request or upon termination of employment. Where permitted by applicable laws, NTMC may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. NTMC may also take all action deemed appropriate to recover or protect its property.

SECTION 5 – SAFETY

RIGHT TO KNOW: EMPLOYEES

The Occupational Safety and Health Administration (OSHA) require that all employers advise their employees, through written communications and formal training of:

- potentially hazardous materials within the worksite;
- precautionary measures that must be taken to avoid a chemical release into the environment and employee exposure to that release in the event it occurs; and
- proper, safe methods of spill control and clean up

Each employee has a right to know of any operations in his or her work area where toxic or hazardous chemicals are present, and these details about hazardous materials in his or her work area:

- which one(s) he or she may handle
- where to find information about the materials
- how to safely handle those materials
- how to react in case of an uncontrolled release of those materials
- how to protect oneself from hazardous materials in all situations within the facility

NTMC must:

- have a written hazard communications program (HCP) that describes how the HCP will be implemented;
- conduct training of all employees so they will know about hazardous materials in their work areas; and
- ensure that all hazardous material containers (both primary [manufactured] and secondary [miscellaneous buckets; containers]) are properly labeled.

Each new employee must receive initial training within thirty (30) days of hire.

SAFE WORK ENVIRONMENT

NTMC places a high priority on providing a safe and healthful environment for employees, customers, and visitors. All employees are expected to obey and follow safety rules and to exercise caution in all work activities. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary corrective action, up to and including termination of employment. All reports can be made without fear of reprisal.

If you observe a hazard or something you believe may be a hazard, you must immediately notify your supervisor. The Hazard Communications Program or Worker's Compensation policy and guidelines can be requested from either NTMC Human Resources, the General Manager, or the Safety, Security & Training Manager.

SAFETY

To assist in providing a safe and healthful work environment for employees, customers, and visitors, NTMC has established a workplace safety program. This program is a top priority for NTMC. The General Manager, Operations Manager, Fleet Manager, Facilities Manager, Safety, Security & Training Manager, and Lead/Street Supervisors in the Operations Department, are each responsible for implementing, administering,

monitoring, and evaluating the safety program for their respective departments. Its success depends on the alertness and personal commitment of all employees.

NTMC provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, intranet postings, memos, or other written communications. 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.

Employees 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. 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 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.

Employees are required to report any injury suffered during work hours, at the time of occurrence to their supervisor on the day of occurrence. In addition, the appropriate form(s) must be filled-out and submitted to the immediate supervisor before the end of the workday.

The procedure to follow in the event of on-the-job-injury or incident:

1. Report the matter immediately to the appropriate supervisor.
2. Complete an accident report in detail.
3. If it is necessary to go to the doctor, appropriate paperwork must be filled out in the office of the Safety, Security, and Training Manager or General Manager.
4. Go to the company-designated doctor or hospital.
5. Return all paperwork from the doctor to the office of NTMC Human Resources, who will coordinate with the Safety, Security, and Training Manager
6. Do not return to work until fully released by the doctor.

Additionally, it is the responsibility of the employee to report any (off the job) personal moving violations, convictions, or arrests that interfere with operations/safety to the company within forty-eight (48) hours.

For more detailed information regarding the Safety Rules & Regulations refer to the Employee Safety Handbook or speak with the General Manager.

DRUG AND ALCOHOL POLICY

The company agrees to abide by all federal U.S. Department of Transportation (DOT) drug and alcohol testing regulations that govern commercial vehicles.

In addition, the company shall have the right to establish, modify, or eliminate its own separate Drug and Alcohol Policy to protect its employees, customers and the public from the safety and health risks posed by the misuse of alcohol and prohibited drugs. Further, it is understood the company may amend the policy from time to time in compliance with

changes adopted by the federal D.O.T. and applicable to the company's transit operation. The company may make other changes to the policy after first giving the Union at least seven (7) day written notice and a written copy of the changes.

All laboratory testing methodology and chain of custody procedures which apply in federal D.O.T. testing shall be compiled with in connection with all drug and alcohol tests administered to employees covered by the Collective Bargaining Agreement.

HAZARD COMMUNICATION

One of the major goals of the Occupational Safety and Health Administration (OSHA) is to regulate industries to promote safe work practices in an effort to minimize the incidence of chemically-related employee illnesses and injuries. Relative to this goal, OSHA has enacted the Hazard Communication Standard, codified as 29 CFR 1910.1200. The purpose of the Hazard Communication Standard is to establish uniform workplace requirements for the communication of hazards and hazardous chemical information to all potentially-exposed employees.

NTMC has implemented this written Hazard Communication Program to meet the letter and intent of the OSHA Hazard Communication Standard. The objective of this written program is to effectively disseminate pertinent data on the safe handling of hazardous chemicals in the workplace. In addition, the program will inform all appropriate personnel and outline their rights and responsibilities under the OSHA Hazard Communication Standard. This program will be available upon request to all employees and their designated representatives.

NTMC has taken the following steps in order to implement and effectively manage its Hazard Communication Program.

General Implementation Outline:

- Designate a company "Hazard Communication" Coordinator with responsibility for overall management of the Hazard Communication Program.
- Develop and maintain an up-to-date chemical inventory.
- Request copies of Material Safety Data Sheets (MSDS) from manufacturers and suppliers.
- Collect and distribute MSDS to all appropriate work areas.
- Institute a labeling system for containers or materials that require additional labels.
- Develop and implement an employee-training program to include classroom instruction with appropriate training materials and documentation.
- Set up a periodic review process to maintain an up-to-date inventory of hazardous chemicals.

WORKPLACE VIOLENCE PREVENTION

NTMC is committed to preventing workplace violence and to maintaining a safe work environment. NTMC has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and

other dangerous or hazardous devices or substances are prohibited from the premises of NTMC.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

Employees are encouraged to seek appropriate protective orders to protect themselves against threats in their personal lives. Human Resources will work with the employee, including offering unpaid time off to participate in legal proceedings in furtherance of protective orders. NTMC encourages employees seeking protective orders against third parties to identify the NTMC facility as a covered, protected location on the protective order.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor.

NTMC will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities; and, if necessary, will involve the authorities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, employees may be placed on administrative leave.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

After investigation, if no fault is found, employees may be compensated for lost time. Lost time calculated by the amount of hours the employee was scheduled to work and did not.

NTMC encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or NTMC Human Resources before the situation escalates into potential violence. NTMC is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

OPEN-DOOR PROCESS

We at NTMC believe that the way we best support our employees and serve our customers is by developing a safe, caring and efficient relationship with each employee. Any ideas or suggestions for more efficient operations or safer practices that will make our location a better or safer place to work are highly encouraged. Constructive ideas are welcome and will be given prompt consideration.

SECTION 6 – APPEARANCE

GENERAL APPEARANCE UPON REPORTING FOR DUTY

Employees must look neat and clean when reporting for duty. Apparel is to be clean and pressed. Shoes are to be good condition and clean. Shirts must be tucked-in until such time the operator is no longer on duty or on property. Belts and/or approved suspenders must be worn, along with approved all-black shoes.

HAIR

Employees' hair is to be neatly trimmed and well groomed. Longer hair must be pulled neatly back away from the face. Operators with longer hair are to keep it pulled neatly back, secured with a band. Hair may also be pulled back, secured with a band, and hidden under an approved hat.

All hair – including mustaches, beards, and sideburns – are to be neatly trimmed and well groomed. Beards and sideburns may not exceed $\frac{3}{4}$ inches in length. Hair clips and barrettes are acceptable but must be conservative in size. Headbands, wristbands, and/or ribbons may not be worn.

JEWELRY

Jewelry must conform to the following standards:

- Wrist – Limited to one item on each wrist;
- Rings – Limited to three rings on each hand (engagement and wedding rings are considered as one ring);
- Necklaces – Must be worn inside the collar and be consistent with safety;
- Earrings – Only close-fitting styles may be worn.
- A jewelry item will not be permitted if it interferes with the safe operation of the bus, as determined by the Company.

SUNGLASSES

Sunglasses should be worn during the day to reduce glare. Wearing dark lenses after sundown is not permitted. Light-sensitive prescription glasses may be worn.

FINGERNAILS

Fingernail length must not interfere with the safe operation of the bus, as determined by the Company.

ITEMS WITH POLITICAL OR SOCIAL MESSAGES

Items having political or social messages may not be worn or displayed on personal, NTMC or DCTA equipment without prior approval by the General Manager. This provision is not intended to hinder employees' ability to lawfully exercise their rights under the National Labor Relations Act.

WEARING PRESCRIBED UNIFORM WHILE ON DUTY

The prescribed operator uniforms as determined by NTMC must be worn when on duty. The minimum uniform consists of uniform shirt, navy trousers, black belt, black shoes and black socks. Socks must be over-the-ankle, and "no-show" socks will not be allowed. White socks may be worn if it is medically necessary. Suspenders, solid in color and of the same color as the uniform pants, may be worn. The issued uniform jacket is the only approved outerwear. Jersey turtle necks or crew neck long sleeve shirts in navy,

white, gold or green may be worn under the uniform shirt for added warmth. Approved headwear is limited to a DCTA ball cap, UNT ball cap, plain winter knit hat in navy or black, ear cover in black or navy. Fuzzy ear muffs are not approved. All outerwear should match the uniform in color.

Employees are permitted to wear uniform shorts. Uniform shorts are described as no higher than 1 inch above the knee and not falling below the knee. They must match the uniform pant in style and must be worn with a belt. Shorts must be worn with the uniform shirt tucked-in.

SECTION 7 – CODE OF CONDUCT

BUSINESS ETHICS AND CONDUCT

The successful business operation and reputation of NTMC is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

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

NTMC will comply with all applicable laws and regulations and expects its 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 employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of actions, the matter should be discussed openly with your immediate supervisor or with his/her supervisor.

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

EMPLOYEE REQUIREMENT TO MEET COMPANY STANDARDS

The Company has the right to establish and require tests and standards of performance as necessary to insure the safe and efficient performance of duty by employees. Employees must pass any examinations and tests selected by the Company to determine mental and physical fitness.

Testing includes, but is not limited to, the provisions of the US Department of Transportation (DOT) and NTMC's drug and alcohol policies.

USE OF SERVICES

NTMC employees have certain privileges in regard to the services we offer. Employees and their families (dependents) can utilize the services at no cost. This access precludes Paratransit service. Employees and the members of their families each need to acquire a NTMC ID. Upon termination of employment, the employee, as well as his/her dependents' ID cards must be returned to the NTMC Human Resources department.

TRANSPORTING RELATIVES AND FRIENDS

Family members who have a Dependent Pass may ride for free. Family members without proper identification may not ride free or beyond a layover zone. Dependents can use their passes for mobility purposes only; and, if abused, the dependent pass can be revoked.

CELL PHONE USE POLICY

No use or operation of any electronic equipment such as cellular phones, headsets, or earpieces is allowed while operating a company vehicle. Emergency contact with operators can be made through dispatch.

Operators found to be in violation of NTMC cell phone use policy are subject to discipline up to and including termination.

TOBACCO USAGE AND VAPING

The use of tobacco products, including but not limited to cigarettes, e-cigarettes, chewing tobacco, and dip is prohibited on the NTMC premises, as well as in all DCTA owned buildings, facilities, and vehicles. Vaping of any kind is also prohibited on the NTMC premises, as well as in all DCTA owned buildings, facilities, and vehicles. Employees wishing to smoke, vape, or use any tobacco products may only do so more than twenty-five (25) feet of the entrance of the NTMC premises, or any DCTA building, facility, or vehicle. This policy is not intended to prohibit the safe and non-disruptive usage of tobacco or nicotine cessation products, so long as the product is legal, safe, smoke-less and does not emit an odor. This policy applies equally to all employees, customers, and visitors.

HOSTILE WORDS AND ACTS

North Texas Mobility Corporation expects employees to be courteous and to treat fellow employees, clients and patrons with respect. Words and/or acts of hostility toward anyone will not be tolerated. As an employee of NTMC, each employee has the obligation to conduct him/herself in a manner worthy of the public trust.

PROHIBITION OF HARASSMENT AND DISCRIMINATION

NTMC is committed to maintaining an atmosphere that is free of conduct considered to be harassing or abusive. Any form of harassment is prohibited. NTMC recognizes that discrimination of any type undermines the integrity of the employment relationship between employer and employee. Discrimination is absolutely inconsistent with the philosophy of the company and with sound management practice.

This policy applies to all NTMC employees during working time, at work related or sponsored functions, while on company property, and while traveling on work related business. NTMC will also do all that it can to ensure that all individuals associated either directly or indirectly with NTMC including all staff, contractors, visitors, or any other individuals on the company premises comply with this policy.

Definitions

- **“Discrimination”** is the treatment or consideration of, or making a distinction in favor or against, a person or thing because of the employee(s)’ protected status, in connection with employment-related decisions and/or actions.
- **“Protected status”** includes sex, color, race, religion, national origin, age, physical or mental disability, sexual orientation, citizenship, veteran’s status, genetic information or any other characteristic protected by federal, state or local laws.

- **“Harassment”** is defined as unwelcome conduct, whether verbal, visual or physical, which unreasonably interferes with the individual’s work performance or creates an intimidating, offensive or hostile working environment.

Examples of harassment include, but are not limited to:

- Epithets, derogatory comments, unusual comments about appearance or dress, racial slurs or comments, or offensive or derogatory ethnic jokes, or unwanted sexual advances, invitations, or comments;
 - Derogatory posters, cartoons, drawings or gestures; or
 - Assault, physically blocking normal movement of employee or interference with an employee’s work because of their sex or other protected status, or general bullying of other employees.
- **“Sexual Harassment”** is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:
 - Unwanted sexual advances.
 - Offering employment benefits in exchange for sexual favors.
 - Making or threatening reprisals after a negative response to sexual advances.
 - Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
 - Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
 - Verbal sexual advances or propositions.
 - Verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
 - Certain physical conduct that includes touching, assaulting, or impeding or blocking movements.

Complaint Procedure

Reporting violations. Under no circumstances will an employee be penalized for presenting in good faith a complaint of discrimination or harassment. Accordingly, if you believe that you have been harassed (sexually or otherwise) or discriminated against, or if you have seen other employees harassed (sexually or otherwise) or witness discrimination, it is your responsibility to immediately report the harassment or discrimination – regardless of the position held by the person engaging in the harassing or discriminatory conduct – to Human Resources. Please note that you are **not** required to raise the issue with your supervisor first, instead you may go directly to Human Resources. If you are more comfortable bringing your complaint or raising your concerns arising under this policy to your

supervisor or manager, your supervisor or manager will properly escalate the complaint or concerns to ensure the complaint is handled appropriately.

Investigations and Safeguards. Complaints of a violation(s) of this policy will be promptly and carefully investigated, including interviews with all relevant persons. Investigators will conduct an objective investigation with consideration given to each employee's desire for privacy. Only individuals with a legitimate "need to know" will be given any information regarding the complaint(s) and/or the investigation.

Discipline and Remedial Actions. If the investigation confirms a violation of this policy, prompt remedial action will be taken to stop the harassing or discriminatory conduct and prevent it from reoccurring. Remedial action may consist of disciplinary action against the violator of this policy, up to and including termination in accordance to the corresponding rules and applicable regulations. NTMC will also take other remedial action, as appropriate, to remedy the effects of harassment or discrimination and ensure a safe and productive working environment for all employees.

Retaliation. Retaliation against an employee for reporting harassment or discrimination or for providing information regarding harassment or discrimination, including participation in a harassment or discrimination investigation, will not be tolerated. Anyone who engages in retaliation is in violation of this policy and will be disciplined accordingly, up to and including termination. Complaints of retaliation are subject to the same reporting, investigation, disciplinary and remedial action as complaints of harassment or discrimination.

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation may affect his or her rights in pursuing legal action.

WEAPONS IN THE WORKPLACE

NTMC strives to provide a safe and secure workplace for employees, clients, customers and visitors. The company has zero tolerance for, and forbids the possession of any type of weapon, firearm, explosive and/or ammunition while on company property or conducting company business. For purposes of this policy, company property includes, but is not limited to, all company facilities, company-provided vehicles and equipment that is either leased or owned by the company or a company client.

Possession of firearms or other weapons may be cause for discipline, including, but not limited to, immediate termination of employment. In enforcing this policy, NTMC reserves the right to request inspections of any employee and their personal effects while on company property, to the extent allowable under applicable law. Any employee who refuses to allow an inspection will be subject to the same disciplinary action as having been found in possession of firearms or other weapons.

In the event an employee lawfully possesses a firearm, the employee can store the firearm in the employee's personal vehicle while on company-provided parking areas; however, the firearm must be stored in the employee's locked vehicle (or locked to the vehicle) and hidden from plain view.

Employees share the responsibility of identifying violators of this policy. If you either witness or suspect another individual of violating this policy you should immediately report this information to their supervisor.

THEFT (EMPLOYEE)

NTMC has a zero-tolerance policy in regard to stealing. NTMC shall investigate suspected theft, and all employees have a duty to cooperate in NTMC's investigation in good faith. NTMC has security cameras in the workplace, including in and around buildings, and on buses.

OUTSIDE EMPLOYMENT

Employment with NTMC will take precedence over any other employment. Operators are required to notify Human Resources if working any outside job, in order to ensure continued compliance with DOT regulations. If a conflict occurs between an employee's employment with NTMC, the employee will be required to terminate one job or the other.

DUTY TO PROTECT DCTA AND CLIENT PROPERTY

It is the duty of every employee to protect DCTA and client property, unless doing so puts the employee at risk of harm. Acts of vandalism must be reported. Employees must properly store equipment at outside locations. Employees must exercise care in the operation and use of DCTA and client equipment. All incidents involving damage to DCTA or client property must be reported to a supervisor.

SOLICITING MONEY, PUBLIC SUPPORT, OR PERSONAL INFORMATION FROM PASSENGERS

The solicitation of money or public support from passengers while on duty or on DCTA or client property is not permitted without proper authorization. Operators may not permit anyone to solicit from or otherwise disturb passengers. Unauthorized materials are not to be distributed or displayed on DCTA or client property or vehicles. Making lewd or suggestive remarks to passengers or soliciting addresses and telephone numbers is prohibited.

CUSTOMER RELATIONS

Employees must address all customers, including passengers, in a friendly tone. They must be helpful and considerate when giving information or calling streets. An employee must never embarrass a fellow employee or passenger by talking in a loud tone of voice or arguing. Maintaining cordial customer relations with each customer is expected of all employees.

GIFTS

NTMC strives to treat employees, citizens, and individuals conducting business with NTMC in a fair and equitable manner. An employee (and his/her relative and significant others) may not receive any income or other material gain from anyone outside NTMC for services provided by the employee in the performance of his/her job with NTMC. Individual NTMC employees are prohibited from soliciting, accepting, or agreeing to accept any gift, gratuity, favor, benefit, or anything else of value from any person, organization, or other entity who has done business, is doing business, or seek to do business with NTMC.

Acceptable Gifts. However, an employee who accepts the following will not be in violation of this policy:

- a. An award publicly presented in recognition of public service
- b. An occasional meal where public business is discussed not to exceed \$25.00
- c. T-shirts, caps, and other similar promotional material not to exceed \$25.00
- d. Any gift not to exceed \$25.00, which would have been offered or given to the employee even if the employee were not a NTMC employee.
- e. A gift or gratuity extended to the entire NTMC or specific department and approved by the General Manager or a NTMC Officer.

Coupons. Routine food coupons, frequent flier awards, discounts, and other promotional items awarded to employees while carrying out NTMC business may be accepted by employees and will not be considered a violation of this policy due to the administrative difficulty and cost involved in recapturing the discount or award for NTMC. If the item is non-routine, or of more than minimal value, the employee must check with his/her supervisor to see if the item should be returned, or, in the alternative, turned over to NTMC.

Limitations. Employees may not give their supervisor, or anyone else in NTMC management, any gift or other item of more than a minimal value. If offered, supervisors may not accept such gifts or other items. Giving and accepting cards, food items (such as cakes and cookies) or token gifts for birthdays, Bosses' Day, holiday celebrations, bereavement, or similar events is not a violation of this policy.

Administration. NTMC takes this policy very seriously, and violations may result in disciplinary action, up to and including termination of employment. Any questions regarding the prohibitions imposed by this policy generally, or in connection with a specific situation, should be directed to NTMC Human Resources.

SECTION 8 – GENERAL PERSONNEL POLICIES & PROCEDURES

PERSONNEL DATA CHANGES

Each employee must promptly notify NTMC of any changes in personnel data within forty-eight (48) hours of the change. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment and other such status reports should be accurate and current at all times. If any personnel data has changed, notify Human Resource.

ACCESS TO PERSONNEL FILES

All employees may view contents of their personnel file with advance notice to NTMC Human Resources staff. Documents that relate to the employee's qualifications for hire such as the application, promotion, disciplinary action, and transfer may be viewed. Additionally, the employee may review policy signoff forms and training records.

Documents that the representatives of employees may not review include: references or reference checks, medical records, documents related to a judicial proceeding, and any document that would violate the confidentiality of another employee. Any document which could include the names or information relating to third parties would not be viewable due to privacy issues.

An employee who wants to review contents of their personnel file should contact NTMC Human Resources staff with twenty-four (24) hours' notice.

Personnel files must be reviewed in the presence of a NTMC Human Resources staff person. No part of the personnel file may be copied or removed from the office by the employee.

If the employee is unhappy with a document in his or her personnel file, in the presence of the NTMC Human Resources staff, the employee may write an explanation or clarification and attach it to the disputed document.

ACCESS TO PREMISES POLICY

The North Texas Mobility Corporation (NTMC) and Denton County Transportation Authority (DCTA) prioritizes the safety and well-being of its employees and the communities it serves. Because DCTA has been entrusted to provide safe and time-sensitive services to the public, it is imperative that DCTA maintain a safe and productive working environment. To that end, this policy establishes rules for controlling physical access to DCTA's facility. This policy applies to all DCTA employees, contractors, visitors, and members of the public.

Policy. DCTA prohibits unauthorized individuals from entering Secure Areas of all DCTA facilities, including the bus/rail yard(s), maintenance bays, railroad tracks, administrative facilities (other than public reception areas and community/board rooms) and areas requiring card, fingerprint, or key code access. From time to time, access to Secure Areas may not be completely secure due to business necessity or malfunction. All such areas shall remain restricted-access Secure Areas at all times.

Only on-duty employees who have a legitimate business reason may enter Secure Areas of DCTA's premises. On duty employees are expected to remain in their assigned work area unless otherwise instructed or authorized by a supervisor.

Non-employees are not permitted inside Secure Areas of the facility. Employees are not permitted to bring visitors in Secure Areas unless given authorization to do so. Authorized visitors must always be accompanied by an on-duty employee while inside Secure Areas.

Off-duty employees, visitors, and other non-employees are permitted in public reception areas, community/board rooms, public parking lots, and other non-secure areas designated for public access. All individuals on DCTA's premises are expected to conduct themselves in a safe manner which does not disrupt DCTA operations at any time.

Enforcement. Any employee found to have violated this policy or engaged in conduct that indirectly causes a violation of this policy shall be subject to discipline up to and including discharge.

SOLICITATION

In an effort to ensure a productive and harmonious work environment, persons not employed by NTMC may not solicit or distribute literature in the workplace at any time for any purpose.

NTMC recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities in work areas or during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.) Outside solicitation is prohibited.

Posting of written solicitations on the company bulletin boards or intranet is restricted. These both display important information, and employees should consult them frequently for:

- * Employee announcements
- * Internal memoranda
- * Job openings
- * Organization announcements
- * Payday notice
- * Workers' compensation insurance information
- * Unemployment insurance information

If employees have a message of interest to the workplace, they may submit it to the General Manager for approval. All approved messages will be posted by the General Manager.

GRIEVANCE AND ARBITRATION

Per the Collective Bargaining Agreement, a grievance is defined as any controversy between the company and the Union as to any matter involving the interpretation or application of the terms of the Collective Bargaining Agreement, or any controversy

between the company and the Union as to whether an employee disciplined for violation of any rule or regulation of the company, or other offense, is guilty of such violation.

Notification of service will be accomplished by use of regular mail, hand delivery, or electronic means. In all steps of the Grievance Process, company delivery will be made to the Local President with a copy to his designee.

Grievances meeting the above definition shall be processed in the following manner:

- **Step One.** Grievances must be submitted in writing to the Assistant General Manager (AGM), or their designee, no later than fifteen (15) calendar days after the date of the event giving rise to the grievance. The grievance shall be in such detail as to identify the nature of the grievance, the date of the alleged grievance, and the provision or provisions of the Collective Bargaining Agreement violated by the company. The Assistant General Manager (AGM) or their designee shall schedule a meeting, if requested by the Union, within ten (10) calendar days after receipt of the written grievance with the employee and the appropriate Union representative designated by the Union to handle the grievance. The Assistant General Manager (AGM) or their designee, shall respond to the Union representative in writing as to his or her decision regarding the Grievance within ten (10) calendar days after receipt of the Grievance by the Assistant General Manager (AGM) or designee, or in the case of a meeting, within ten (10) calendar days following the date of the meeting.

*Grievances concerning termination from employment shall be processed at Step Two, with ten (10) calendar days permitted for the initial filing of the grievance.

- **Step Two.** In the event the grievance is not resolved to the satisfaction of the employee in Step One, above, the Union may submit the grievance to the General Manager, or designee, within ten (10) calendar days following the date of the receipt of the company's answer in Step One. The general Manager, or designee, and the Union representative shall hold a meeting, if requested by the Union, within ten (10) calendar days of the date of the Grievance is appealed to Step Two, to discuss the grievance. The General Manager, or designee, shall respond to the Union in writing as to his or her decision regarding the Grievance within ten (10) calendar days after receipt of the grievance by the General Manager, or designee, or in the case of a meeting, within ten (10) calendar days following the date of the meeting.
- **Step Three.** In the event the grievance is not resolved in Step Two, the Union may refer the Grievance to arbitration by written notice to the General Manager within thirty (30) calendar days following the date of receipt of the General Manager's response in Step Two.

After a demand for arbitration has been made, within ten (10) calendar days the Union shall submit a request to the Federal Mediation and Conciliation Service (FMCS) for a list of five (5) names of impartial Arbitrators in the region nearest to the company's premises. The company and the Union shall, within ten (10) calendar days following receipt of the list of Arbitrators from FMCS, alternately strike names from the list until only one (1) name remains. The order in which the parties shall strike names shall be determined by the toss of a coin. The remaining Arbitrator shall act as the impartial Arbitrator who shall hear and decide the issue.

It is understood that the Arbitrator shall be without authority or jurisdiction to add to, remove from, alter, or otherwise amend in any way any provision of the Collective Bargaining Agreement.

The salary and all expenses of the Arbitrator, and the cost of the FMCS panel, shall be shared equally between the company and the Union. Unless otherwise specifically agreed in advance, each party shall be responsible for costs it incurs and for the expenses of presenting its case.

The Arbitrator's decision shall be in writing and served on the company and Union. The decision of the Arbitrator shall be final and binding upon the company and the Union.

It is the intent of the parties that the time limits provided shall be strictly adhered to. Exceptions to the foregoing time limits shall be made only upon mutual written agreement of the parties. Failure to comply with the time limits herein shall result in forfeiture of the failing party's position. If a time limit expires on a Saturday, Sunday, or holiday, the final day shall be the next business day. Time limits will be determined by postmark or by timestamp by company clock.

EMPLOYEE RESPONSIBILITY FOR ISSUED PROPERTY

Employees are personally responsible for all Company property issued to them. Issued property that is lost or stolen must be reported immediately to a supervisor. Damaged or lost articles may be charged to the employee upon replacement. When leaving NTMC's employ, or at the request of a supervisor, employees must immediately surrender all Company property in their possession. NTMC may choose to pursue collection of funds for any times not surrendered as required.

USE OF COMPANY EQUIPMENT AND VEHICLES

When using property, employees are expected to exercise care, perform required maintenance, including pre- and post-trip inspections, and follow all operating instructions, safety standards, and guidelines. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, up to and including termination of employment. The use of the staff vehicle or any other NTMC/DCTA vehicle for any personal use is strictly prohibited.

Anyone who operates a DCTA vehicle must have a current and valid Texas Drivers' License in their possession with proper classification and endorsement. All employees who hold safety sensitive positions must also have in their possessions a valid Medical Examiners Certificate.

OBSERVING STATE, COUNTY, AND CITY LAWS AND ORDINANCES

The operation of transit vehicles is regulated by various agencies. When necessary, employees must follow the rules and regulations of the Highway Patrol, the State, and the Counties and Cities through which the service operates.

Employees are required to cooperate with law enforcement agencies and fire departments at all times. In the event such cooperation creates a dangerous condition, a supervisor is to be notified immediately.

OPERATING A COMPANY OWNED OR CONTROLLED VEHICLE WHILE ILL OR FATIGUED

Employees must not operate a company-owned vehicle when their ability and alertness is impaired because of fatigue, illness or any other cause to create a safety hazard. Employees who believe they are suffering from fatigue, illness, or any other condition that could pose a safety hazard should notify their supervisor and Human Resources immediately.

SITUATIONS NOT COVERED BY DEFINED PROCEDURES

Whenever situations arise that are not covered by defined procedures, employees must use their best judgment. Such instances include obstructions caused by serious accidents, hazardous conditions or emergencies. In these circumstances, the employee must report the situation to his/her supervisor immediately.

FRAUD

The purpose of this policy is to protect the assets and interests of NTMC, increase overall fraud awareness, provide a mechanism for employees to voice concerns, and to ensure a coordinated approach for responding to allegations or suspicions of fraud or irregularity.

Policy. The NTMC is committed to protecting its revenue, property, information, and other assets from any attempt, either by members of the public, contractors, vendors, volunteers, or its own employees, to gain by fraud or deceit, financial or other benefits. It is everyone's responsibility to report any possible fraudulent activity or irregularity. The NTMC will make every reasonable effort to identify and promptly investigate all instances of known or alleged instances of fraudulent activities or other fiscal irregularities. The NTMC will take appropriate disciplinary and/or legal actions against employees or others, including the possibility of termination of employment, restitution, and making information available to the appropriate authorities for criminal prosecution. Fraud will not be tolerated and will be appropriately dealt with regardless of the individual's past performance, position held, length of service, or relation.

Policy Applicable To. This policy and procedure shall apply to all NTMC employees (full-time and part-time), temporary/seasonal personnel, and volunteers.

Authority. This policy is authorized by the NTMC Officers and General Manager and adopted by the NTMC Board of Directors.

Definition of Fraud. Fraud generally involves a willful or deliberate act with the intention of obtaining unauthorized benefits, such as money or property, by deception or other unethical means. Dishonest or fraudulent activities include, but are not limited to, the following:

- a. Forgery or alteration of documents. (Checks, timesheets, contractor agreements, purchase orders, securities, etc.)
- b. Misrepresentation of information on documents.
- c. Misappropriation of funds, securities, supplies, furniture, fixtures, and equipment, or any other asset.
- d. Authorizing or receiving payment for goods not received or services not performed.

- e. Authorizing or receiving payments for hours not worked with the exception of those allowed under NTMC policy.
- f. Unauthorized use or misuse of NTMC property, equipment, materials records.
- g. Improprieties in the handling or reporting of financial transactions.
- h. Theft or destruction of any asset.
- i. Embezzlement.
- j. Seeking or accepting anything of material value from vendors, consultants, or contractors doing business with the NTMC in violation of the NTMC's policy.
- k. Any claim for reimbursement of expenses that are not made for the exclusive benefit of the NTMC.
- l. Any computer-related activity involving the alteration, destruction, forgery, sale, or manipulation or misappropriation/misuse of data for fraudulent purposes.
- m. Intentional misstatement and other irregularities of NTMC records, including intentional misstatement of the NTMC's financial statements, and reports.
- n. Any violation of Federal, State, or local laws related to dishonest activities or fraud.
- o. Any similar or related activity/irregularity.

Management Responsibility. Management is responsible for detecting fraudulent or related dishonest activities in their areas of responsibilities. The General Manager and supervisors should be familiar with the risks and exposures inherent in their areas of responsibility.

Level of Suspicion. Each level of supervision should be alert for any indication of improper activity, misappropriation or dishonest activity that is or was in existence in his/her area. When an improper activity is detected or suspected, management should determine whether an error or mistake has occurred or if there may be dishonest or fraudulent activity.

Measures to Minimize the Risk of Fraud. In order to maintain the NTMC's high standards, procedures and controls have been and will be established to minimize the opportunity for fraud. These procedures and controls help the NTMC function in a manner that is beyond reproach. They establish the rules by which all employees, appointed officials, and volunteers must function and are supported, as necessary, by detailed procedures. It is the responsibility of the General Manager and supervisors to ensure that the standards are communicated to, and are known by, their employees, and those internal systems and procedures function as designed.

Appropriate procedures such as the following need to be implemented to ensure:

- a. Proper authorization levels and approvals.
- b. An adequate separation of duties.
- c. Independent monitoring, review, and approval of data and/or documentation.
- d. An adequate level of supervision.

Audit. An annual audit of NTMC is conducted by an outside audit firm. The firm will perform various tests and analyses of selected transactions to ascertain the reliability of financial information and to monitor for compliance with NTMC policies, applicable regulations and laws, and undertakes checks to detect opportunities for fraud and irregularities.

REPORTING PROCEDURES

Employee Responsibilities. When suspected fraudulent incidents or practices are observed by, or made known, to an employee, the following steps should be taken:

1. The incident or practice must be reported to the Operations Manager. If an employee believes the Operations Manager may be involved in the inappropriate activity, the employee shall make the report directly to the General Manager.
2. The General Manager will promptly notify NTMC Human Resources and NTMC Officers, if applicable.
3. If the employee believes the General Manager is involved, the employee shall contact the NTMC Officers.
4. The reporting employee shall refrain from further investigation of the incident, will not confront the suspected alleged violator, or further discuss the incident with anyone unless requested to by the investigative team appointed by the General Manager, or law enforcement personnel, whichever is conducting the investigation.
5. Employees who knowingly make false allegations will be subject to discipline, up to and including termination.
6. Employees may also submit suspected fraudulent/dishonest activities and irregularities confidentially by mail (or other means of delivery) to the NTMC Officers at 1955 Lakeway Drive, Suite 260, Lewisville, Texas 75057
 - Mark on the lower left corner of the envelope “Private and Confidential”. Envelopes so marked shall be forwarded to the NTMC Officer or NTMC President unopened. Protection of confidentiality may hinder the completion of the investigation.

Management Responsibilities.

1. Upon notification by an employee of suspected fraud, or if the Operations Manager has reason to suspect that fraud has occurred, they will immediately notify the General Manager.
2. When the supervisors or Operations Manager believes the General Manager may be involved in the inappropriate activity, they will make the report directly to the NTMC’s Officers.
3. Unless requested, the Operations Manager should not contact the suspected individual(s) to determine the facts or demand restitution.
4. The case, facts, suspicions, or allegations should not be discussed with anyone, unless specifically directed to by the investigation team appointed by the General Manager, NTMC Officer, or law enforcement personnel.
5. All inquiries from the suspected individual should be directed to the General Manager or NTMC Officer..
6. Great care must be taken in dealing with suspected dishonest, or fraudulent activities to avoid the following:
 - Incorrect accusations
 - Alerting suspected individuals that an investigation is underway
 - Treating employees unfairly

- Making statements that could lead to claims of false accusations, or other offenses
- Violating any person's right to due process

Steps for Investigation

1. The General Manager or NTMC Officer will investigate situations involving possible fraud, or related dishonest or irregular activities.
2. After initial review, and determination that the suspected fraud warrants additional investigation, the General Manager may form an investigative team to investigate any alleged acts of fraud or related activities, as deemed necessary.
3. If it's determined that illegal/criminal activity has occurred, the case will be turned over to the appropriate law enforcement agency to conduct the investigation and take necessary action.
4. If warranted, NTMC shall take immediate action to prevent the theft, alteration, or destruction of relevant records. Such actions may include, but are not limited to, removing the records and placing them in a secure location, limiting access to the records and/or preventing the individual suspected of committing the alleged fraud from having access to the records, or placing them on leave if appropriate.
5. If warranted, a prompt investigation will be conducted to include detailed analysis. The designated members of the investigative team will have:
 - i. Free and unrestricted access to all NTMC records and premises, whether owned or rented, that are deemed pertinent to a complete and accurate investigation.
 - ii. The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic form or other) without the prior knowledge or consent of any individual who might use, or have custody of, any items or facilities when it is within the scope of investigative, or related follow-up procedures. There is no assumption of privacy.
 - iii. If deemed appropriate, NTMC may engage, at NTMC's expense, independent advisors or consultants to assist in the investigative process.
 - iv. All participants in an investigation should keep the details and results of the investigation confidential.
 - v. Employees should be aware that, if a suspicion is reported and results in a prosecution or disciplinary action/hearing, they might be called upon as a witness in those processes, unless other substantial reliable evidence is available. The anonymity of the employee making the allegation shall be maintained until the employee indicates in writing they do not wish to remain anonymous.

Findings. The NTMC General Manager will inform the NTMC Officers of the reported allegation of fraudulent or irregular activities. Throughout the investigation, the NTMC Officers will be advised of its status through the General Manager. If evidence is uncovered showing possible fraudulent activities:

1. The General Manager will discuss the findings with the NTMC Officers.
2. The General Manager will advise the affected supervisor and NTMC Human Resources, if the case involves staff members, to determine if disciplinary actions should be taken.
3. The NTMC Officers will be notified of all findings.

4. Based on the investigation and outcome, the investigative team will issue a report on the adequacy of internal controls and make recommendations for improvements.

5. The General Manager and NTMC Treasurer will report to the external auditors of the NTMC all information relating to investigations.

Personnel Actions. If a suspicion of fraud is substantiated by the investigation, the General Manager or designee shall take disciplinary action, up to and including termination in consultation with the NTMC Officers, and in conformance with the NTMC's Employee Policy Manual. Action may also include prosecution and/or restitution.

If the situation warrants immediate action – for example, an obvious theft has taken place, security is at risk, etc. then immediate action may be taken by the General Manager or designee in consultation with the NTMC Officers, and in conformance with the NTMC's Employee Policy Manual.

Unless special circumstances exist, a person under investigation for fraud shall be given notice of the essential particulars of the allegations following the conclusion of the investigation, and prior to final disciplinary action being taken.

Completion of Investigation. Upon completion of the investigation, including all legal and personnel actions, any records, documents, and other evidentiary material will be returned to the appropriate department.

Contacts/Media Inquiries. Any staff person, appointed official, or volunteer contacted by the media with respect to an investigation shall refer the media to the NTMC Officers. The alleged fraud or investigation shall not be discussed with the media by any other person, unless directed to by the NTMC Officers, whichever is deemed most appropriate in preparing statements in response to media requests.

Retention of Records. Records pertaining to the suspected fraud and investigation are the property of NTMC and shall be retained in compliance with applicable laws and appropriate document retention policies.

Non-Fraud Irregularities. Identification or allegations of acts outside the scope of this policy, such as personal improprieties or irregularities, whether behavioral, safety, or work environment related, or complaints of discrimination or sexual harassment, should be resolved by the respective area management in conjunction with the General Manager and/or reference to any other existing NTMC policies.

Enforcement. All questions or other clarifications of this policy and its related responsibilities should be addressed to the General Manager, who shall be responsible for the administration, revision, interpretation, and application of this policy.

BUSINESS TRAVEL EXPENSES

NTMC will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved

in advance by the General Manager. Employees whose travel plans have been approved should make all travel arrangements through the NTMC designated representative. All travel must comply with DCTA travel procedures. Please contact your supervisor or NTMC Human Resources for questions about the current travel policy.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

MEDIA INQUIRY POLICY

Purpose. Responding accurately and appropriately to media inquiries involving developing events can be vital to the success of NTMC (“the corporation”), NTMC contractors and the services it provides. Providing such accurate and appropriate responses to media inquiries often demands that only a prepared spokesperson comments on behalf of NTMC and NTMC contractors. Further, because NTMC provides services that require the public trust, it is imperative that only accurate information be disseminated by NTMC employees, contractors and representatives.

Coverage. This policy applies to all NTMC employees (including temporary employees), contractors, representatives and agents.

Policy. Only designated spokespersons for NTMC and NTMC contractors are permitted to respond to media inquiries on behalf of the corporation. Employees are prohibited from providing any statement or comment to the media for or on behalf of NTMC or NTMC contractors, unless they are given express authorization to speak to the media on behalf of the corporation. Should an employee be contacted by the media, the employee should promptly notify the NTMC General Manager.

NTMC discourages employees from discussing NTMC operations, customers or their employment with the media; any and all issues or concerns regarding NTMC, NTMC contractors or the terms and conditions of employment should be addressed through established internal procedures. Additionally, employees should be mindful of the rights and safety of fellow NTMC employees and members of the communities we serve.

Enforcement. Employees who speak on behalf of NTMC or NTMC contractors to the media, without express authorization to do so, shall be subject to discipline up to and including discharge.

An employee who provides false information or makes malicious statements to the media regarding NTMC, NTMC contractors or NTMC’s services, operations, customers, or employees, even when doing so on their own behalf, may be subject to discipline up to and including discharge.

Nothing contained herein is intended to infringe on employees’ federal rights under Section 7 of the National Labor Relations Act.

EMPLOYEE SOCIAL MEDIA POLICY

Purpose. As a vital community resource, NTMC and its contractors and services are discussed every day in online conversations. NTMC wishes to ensure these discussions

are accurate and promote a safe and productive working environment. As such, this policy has been developed to provide guidelines to employees about their use of social media as it relates to NTMC and NTMC contractors.

Definition. For purposes of this policy, “social media” shall mean official NTMC and NTMC contractor websites and all forms of online community activities such as online social networks (e.g. Facebook), professional networking websites (e.g. LinkedIn), message boards (e.g. Twitter), video and photo sharing (e.g. YouTube, Pinterest and Instagram), blogs, Wikis, chat rooms, and online forums.

Coverage. This policy applies to all NTMC employees (including temporary employees), contractors, representatives, and agents.

Policy. NTMC takes no position on an employee’s decision to participate in social networking activities such as Facebook, Twitter, Instagram, Pinterest, YouTube, LinkedIn, personal blog, etc. However, certain activities on the part of employees can be grounds for disciplinary action if they have the effect of impairing the work of any employee; harassing, demeaning, or threatening another employee; threatening harm to NTMC, NTMC contractors, NTMC property or NTMC contractor’s property; creating a hostile work environment; disrupting orderly operations; disrupting the flow of work; interfering with NTMC’s right to maintain discipline and order in the workplace; interfering with a workplace investigation; or harming the goodwill and reputation of NTMC and NTMC contractors.

In the area of social media, employees may use such media in any way they choose as long as such use does not produce the adverse consequences noted above. For this reason, NTMC reminds its employees that the following guidelines apply in their use of social media, both on and off duty:

- Employees must use NTMC technological resources primarily for company purposes. Incidental use of any technological resources, including social media, to transmit personal messages and information will be treated no differently than other messages and information and may be accessed, reviewed, copied, or disclosed by NTMC.
- NTMC reserves the right to monitor employee use of social media sites accessed on agency equipment. Users should have no expectation of privacy or confidentiality when using these resources.

Social Media Usage on Behalf of the Corporation. Official NTMC and NTMC contractor social media sites and programs are to be established, managed, and updated by identified personnel under the direction of the Vice President of NTMC. NTMC employees may not create or manage a social media site for the purposes of communicating NTMC or NTMC contractor information to the news media, riders, general public, or an external or internal audience.

Employees approved to represent NTMC and NTMC contractors online must adhere to NTMC’s social media guidelines outlined within the social media policy document.

Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees must refer all

such requests to NTMC's General Manager. Although NTMC limits who can represent the corporation online via NTMC's and NTMC contractor's official social media accounts, everyone working for NTMC should consider themselves a representative of NTMC and NTMC contractors within the community.

Personal Social Media Use. Employees are not permitted to engage in personal use of social media during work time. During breaks or while waiting to be engaged to work, employees are permitted to use social media in accordance with this policy.

Employees who use social media in their time off, is a reflection on the employee and on NTMC or NTMC contractors. Therefore, NTMC encourages employees' behavior online, even when off duty or not working, to be consistent with NTMC's core values and social media guidelines.

Employees engaging on personal social media platforms that mention NTMC or NTMC contractors in their posts, images, etc. are subject to following guidelines:

- Employees are prohibited from harassing, threatening, coercing, bullying, or demeaning another employee;
- Employees are prohibited from providing dishonest or misleading information about NTMC, NTMC employee(s), NTMC services, and NTMC contractors;
- Employees are prohibited from threatening harm to NTMC, NTMC contractors, NTMC property, and NTMC contractor's property;
- Employees are prohibited from using social media while in work time or in a manner that would pose a safety risk to other employees, NTMC property, or a member of the public;
- Employees are prohibited from misleading the public to believe their personal beliefs or opinions are the official position of NTMC or NTMC contractors;
- Employees are not permitted to publish, post or release any information that is considered confidential or non-public. If there are questions about what is considered confidential, employees should check with the NTMC Human Resources Department and/or their supervisor.
- Employees are prohibited from using the following in social media or for any commercial use without NTMC's prior consent:
 - a. NTMC and NTMC contractor logos;
 - b. Pictures taken in non-public areas, secure areas, or security sensitive areas;
 - c. Pictures of any activity, facility, vehicle, or equipment that contains security sensitive information.

Employees contributing commentary to a blog or other social media site who identify themselves as an NTMC employee or NTMC contractor are asked to provide a clear disclaimer that the views expressed are the author's alone, and do not represent the views of NTMC or NTMC contractors. Information that is published on such personal online sites should never be attributed to NTMC or NTMC contractors and should not appear to be endorsed by or originated from NTMC or NTMC contractors.

Employees should be mindful that connections made with other NTMC employees on personal social networking sites may have an impact on working relationships, whether or not an individual chooses to associate their employment with NTMC in their personal online networking activity. Further, employees should be advised that their social media posts are considered official statements of the employee, which may be used in connection with official NTMC and NTMC contractor investigations or proceedings.

Enforcement. NTMC and NTMC contractors reserve the right to remove content that is deemed in violation of this policy or any applicable law. Violations of this policy may result in disciplinary action.

INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

Overview. NTMC's technological assets and contracted IT services are provided by DCTA. DCTA's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to DCTA's established culture of openness, trust and integrity. DCTA is committed to protecting DCTA's employees, partners and the company from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of DCTA. These systems are to be used for business purposes in serving the interests of the agency and its stakeholders in the course of normal operations. Please review NTMC Human Resources policies for further details.

Effective security is a team effort involving the participation and support of every DCTA employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

Purpose. The purpose of this policy is to outline the acceptable use of computer equipment at DCTA. These rules are in place to protect the employee and DCTA. Inappropriate use exposes DCTA to risks including virus attacks, compromise of network systems and services, and legal issues.

Scope. This policy applies to the use of information, electronic and computing devices, and network resources to conduct DCTA business or interact with internal networks and business systems, whether owned or leased by DCTA, the employee, or a third party. All employees, board members, contractors, consultants, temporary, and other workers at DCTA and its subsidiaries are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with DCTA policies and standards, and local laws and regulation. Exceptions to this policy are stated in the Policy Compliance section.

This policy applies to employees, contractors, consultants, temporaries, and other workers at DCTA, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by DCTA.

Policy.

General Use and Ownership:

- DCTA proprietary information stored on electronic and computing devices whether owned, licensed, or leased by DCTA, the employee or a third party, remains the sole property of DCTA.
- You have a responsibility to promptly report the theft, loss or unauthorized disclosure of DCTA proprietary information.
- You may access, use or share DCTA proprietary information only to the extent it is authorized and necessary to fulfill your assigned job duties.
- Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty, employees should consult their supervisor or manager. Employees should have no expectation of privacy when using the Internet/Intranet/Extranet.
- For security and network maintenance purposes, authorized individuals within DCTA may monitor equipment, systems and network traffic at any time.
- DCTA reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security and Proprietary Information:

- All mobile and computing devices that connect to the internal network must comply with this Acceptable Use Policy and are subject to removal from the network at any time.
- System level and user level passwords must comply with the Password Policy. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.
- You must lock the screen of your workstation or log off when the device is unattended.
- Employees must use extreme caution when opening email attachments received from unknown senders, which may contain malware.

Unacceptable Use:

- The following activities are, in general, prohibited.

- Under no circumstances is an employee of DCTA authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing DCTA-owned resources.
- The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities (The following activities are strictly prohibited, with no exceptions):

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by DCTA.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which DCTA or the end user does not have an active license is strictly prohibited.
- Accessing data, a server or an account for any purpose other than conducting DCTA business, even if you have authorized access, is prohibited.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
- Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.).
- Revealing your account password to unauthorized individuals or allowing use of your account by others. This includes family and other household members when work is being done at home.
- Using a DCTA computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user’s local jurisdiction.
- Making fraudulent offers of products, items, or services origination from any DCTA account.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- Effecting security breaches or unauthorized disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties.

For purposes of this section, “disruption” includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.

- Port scanning or security scanning is expressly prohibited unless prior notification to DCTA is made.
- Executing any form of network monitoring which will intercept data not intended for the employee’s host, unless this activity is a part of the employee’s normal job/duty.
- Unauthorized circumvention of user authentication or security of any host, network or account.
- Introducing honeypots, honeynets, or similar technology on the DCTA network.
- Interfering with or denying service to any user other than the employee’s host (for example, denial of service attack).
- Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user’s terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- Providing information about, or lists of, DCTA employees to parties outside DCTA without proper authorization.

Email and Communication Activities. When using DCTA resources to access and use the Internet, users must realize they represent the DCTA. Whenever employees state an affiliation to DCTA, they must also clearly indicate that “the opinions expressed are my own and not necessarily those of the company”. Questions may be addressed to the IT Department.

- Sending unsolicited email messages, including the sending of “junk mail” or other advertising material to individuals who did not specifically request such material (email spam).
- Any form of harassment via email, or telephone, whether through language, frequency, or size of messages.
- Unauthorized use, or forging, of email header information.
- Solicitation of email for any other email address, other than that of the poster’s account, with the intent to harass or to collect replies.
- Creating or forwarding “chain letters,” “Ponzi” or other “pyramid” schemes of any type.
- Use of unsolicited email origination from within DCTA’s networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by DCTA or connected via DCTA’s network.
- Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).
- Soliciting business or support for personal, social, or non-business-related purposes.

Policy Compliance. The DCTA team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner. Any exception to the policy must be approved by the DCTA team in advance. An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Related Standards, Policies and Processes: Social Media Policy, and Password Policy.

SECTION 9 – WORK PERFORMANCE/DEFINITIONS

PROBATIONARY PERIOD

An employee shall be on probation for the first sixty (60) calendar days from the date the employee enters revenue service. The probationary period shall constitute a trial period during which the company will determine the employee’s ability, competency, fitness and other qualifications that the company determines, in its sole judgement, is needed to do his or her required job. However, the company has the right to discipline or discharge any probationary employee and such discipline or discharge will not be subject to the grievance and arbitration procedure.

A part-time driver who has completed his part-time probationary period will not be required to complete an additional probation when becoming full-time.

PERFORMANCE CODE INFRACTIONS APPLICABILITY

Any person subject to this code who commits, causes, or aids and abets in an infraction listed in this section will be considered in violation of the code and subject to the penalties contained in this section. Any person subject to the code, who acts with specific intent to violate a provision of the code, even though the act fails to affect the violation, will be subject to the penalties applicable as if the attempt had affected the infraction. Conduct or performance which is negative, disruptive, disparaging or inconsistent with North Texas Mobility Corporation’s commitment to delivering safe, quality service to our customers and our organization, which is not specifically listed in this section and which is not necessarily included within a listed infraction may be regarded as violations that are most closely related in severity to that which is listed herein.

INFRACTION OVERVIEW

<i>Class of Infraction</i>	<i>Termination</i>	<i>3-Day Suspension</i>	<i>1-3 Day Suspension</i>	<i>Written Warning</i>	<i>Verbal Warning</i>
1	1 st Offense	-----	-----	-----	-----
2	2 nd Offense*	1 st Offense	-----	-----	-----
3	3 rd Offense*	-----	2 nd Offense*	1 st Offense	-----
4	4 th Offense*	-----	3 rd Offense*	2 nd Offense*	1 st Offense

*Within 12 months of first offense.
(Any suspension that is noted above would be unpaid)

Multiple written reprimands and/or suspensions. The previous article relates to repeated occurrences of the **same class** of infractions. This section outlines appropriate discipline when an employee receives a multiple number of written reprimands and/or suspensions for **different classes** of infractions.

Written Warning:

- **Third written warning within 12 months** – The third written reprimand within 12 months will invoke the same discipline as a first offense Class 2 infraction.

- **Fourth written warning within 12 months** – The fourth written warning within 12 months will be cause to terminate the employee.

Suspensions:

- **Second suspension** – An employee receiving a second suspension within 12 months for different infractions will receive a written warning that future suspensions, for any reason, will result in severe discipline up to and including termination.
- **Third suspension** – An employee eligible for a third suspension within 12 months for different infractions will be a candidate of termination. Repeated and mixed violations of Class 2, 3 and 4 infractions are of such serious nature that the employee is usually regarded as being beyond the scope of progressive discipline.

NOTE: discipline by NTMC for moving violations is separate and apart from the penalty or penalties that may be legally imposed.

CLASS 1 INFRACTION

Certain misconduct can result in immediate termination of employment without progressive discipline. The following are examples of this type of misconduct; they are considered Class 1 infractions:

- **Unauthorized Possession, Misappropriation, Loss, Destruction or Damage – Property**
 - A Class 1 infraction occurs when an employee either on duty or off duty takes, misappropriates, willfully damages or destroys or diverts, or through gross negligence loses or destroys any property of Denton County Transportation Authority, its employees, clients, client's employees or patrons, or other persons on or near DCTA property or equipment.
 - A Class 1 infraction occurs when an employee either on duty or off duty either uses a company vehicle in an unauthorized manner; or takes unauthorized stops, leaving the bus unattended or unsecured with passengers on board.
- **Dishonesty/Theft/Embezzlement**
 - A class 1 infraction occurs when an Operator mishandles fares or other receipts or purposely fails to collect or attempt to collect the correct fare.
 - A class 1 infraction occurs if an employee while on or off duty takes, diverts, or misappropriates any DCTA money or other receipts properly due the Company.
- **Use or Possession of Weapons, Explosives and Firearms**
 - A class 1 infraction occurs if an employee uses or is in possession of weapons, explosives or firearms while on duty or while on DCTA property or equipment.
- **Use of Threat or Force**
 - A class 1 infraction occurs if any assault is aggravated using a weapon or other means of force likely to produce death or grievous bodily harm, or if the employee assaults any other employee. A threat of force will be considered a class 1 infraction.

- **Alcohol, Drugs and/or Intoxicants**
 - Persons subject to this code will be found in violation of this article if they are under the influence of use, offer for sale, purchase, or in possession of alcoholic beverages, habit-forming drugs, narcotics or other controlled substances while on duty or on DCTA property or equipment, or if they are incapacitated to perform assigned duties through prior indulgence in same.
 - Employees must submit to a medical examination if requested by management. Refusal or failure to abide by this request will be regarded as insubordination, a class 1 infraction.
 - A Class 1 infraction occurs if an employee tests positive for alcohol or prohibited substances as a result of a random test, post-accident test, or any other Company-required alcohol or drug test.
 - A Class 1 infraction occurs if an employee refuses to take any drug test or breathe test when required.
 - A Class 1 infraction occurs if an employee possesses or uses alcoholic beverages, habit-forming drugs, narcotics or other controlled substances while on duty on DCTA property or equipment, or when an employee is under the influence of, or impaired by, such intoxicants while on duty.
 - Persons subject to this code will be found in violation of this article if they have used alcoholic beverages, habit-forming drugs, or other controlled substances during the prior eight hours before reporting for duty.
 - A Class 1 infraction occurs when an employee reports for work but is incapable of performing assigned duties because of prior indulgence in intoxicants.
 - A Class 1 infraction occurs when an employee fails to report his/her arrest and charge for DUI while off duty prior to his/her next job shift.
 - A Class 1 infraction when an employee violates any term or condition of NTMC or DCTA Drug and Alcohol Policy.
- **False Official Statements Or Failure To Report**
 - A Class 1 infraction occurs if an employee submits a false report, record, application or other official document, or makes any false official statement pertaining to qualification for employment, pay or benefits, or the performance of duties.
 - A Class 1 infraction occurs if an employee falsifies an employment application, timekeeping/pay record, or other company record.
 - A Class 1 infraction occurs when an employee fails to submit an accident report or other reports as required.
 - A Class 1 infraction occurs if an employee fails to immediately report any traffic or parking citations received while on duty. All traffic accidents or moving violations issued while off duty must be reported prior to his/her next job shift.
 - A Class 1 infraction occurs if an employee orally misrepresents facts in response to an official inquiry or prepares or signs any report or official document of NTMC or DCTA, which the employee knows to contain any false statements or information.
- **Mismanagement Of Fares, Stock**
 - A Class 1 infraction occurs when the employee fails to protect the stock of tickets, passes and transfers when leaving the bus,

unnecessarily handles the fares, or fails to turn in canceled passes, tickets or transfers when required.

- **Indecent, Lewd Or Vulgar Conduct**
 - A Class 1 infraction occurs when an employee makes improper advances toward another person or engages in sexual acts while on duty or on DCTA property or equipment.
 - A Class 1 infraction occurs when an employee maliciously uses obscene words or gestures or engages in indecent, lewd and/or vulgar conduct while in contact with the public or other employees.
 - A Class 1 infraction occurs when an employee conducts immoral, illegal, or indecent conduct towards another person.
 - A Class 1 infraction occurs when an employee exhibits physical or verbal abuse and/or inappropriate touching of a passenger or fellow employee.
- **Contempt Of Authority**
 - A Class 1 infraction occurs when an employee responds insubordinately (refuses to perform) to a proper order or instruction from a supervisor or management person.
 - A Class 1 infraction occurs when an employee incites or participates in an illegal work stoppage or slowdown.
- **Unauthorized Use/Operation of Vehicles**
 - A Class 1 infraction occurs when an employee willfully drives a NTMC or DCTA vehicle without a valid license, takes any vehicle from the garage without proper authority or for an unauthorized purpose, or allows any unauthorized person or persons to operate a Company vehicle.
 - A Class 1 infraction occurs when an employee fails to stop at railroad crossings, or obey any other traffic signs, when required by law.
 - A Class 1 infraction occurs when an employee utilizes a cell phone, tablet, or other electronic communication device while operating an NTMC bus or vehicle.
- **Use Of Physical Force**
 - A Class 1 infraction occurs when an employee physically assaults any person while on duty or in connection with NTMC or DCTA business, or while on or near NTMC or DCTA property or equipment, or while in in company uniform.
- **Gambling Speculation, Game of Chance**
 - A Class 1 infraction occurs if an employee engages in any game of chance, risk or speculation including, but not limited to, cards or dice while on duty or on NTMC or DCTA property or equipment. The playing of recreational games of cards, dominos, chess, checkers, etc., is permitted.
- **Leaving the Vehicle**
 - A Class 1 infraction occurs when an Operator leaves the coach and fails to shut off the engine and fails to put the vehicle in park or neutral gear and apply the parking brake.
- **Invalidated/Expired License**
 - A Class 1 infraction occurs when an Operator, or employee in a job requiring a CDL license or medical examiners certificate, allows his/her license or certificate to expire or otherwise become invalid, thereby

preventing NTMC from utilizing the Operator or employee on job assignments until a proper license is obtained.

CLASS 2 INFRACTIONS

These infractions are considered a serious primary violation of the NTMC performance code. Almost without exception, they are willful occurrences or incidents under complete control of the employee. The following are examples of Class 2 infractions.

- **Unauthorized Absence from Assigned Duty**
 - A Class 2 infraction occurs when an Operator fails to report ready for work at the designated place unless the Operator has been replaced by the Dispatcher and excused by proper authority.
 - A Class 2 infraction occurs when an employee fails to report ready for work unless the proper authority has excused the employee.
 - A Class 2 infraction occurs when an employee reports sick under false or questionable circumstances.
 - A Class 2 infraction occurs when employees exchange work assignments without proper authority, or when employees absent themselves from duty without leave and without prior notification to a supervisor or manager.
 - A Class 2 infraction occurs when an employee who has reported to work fails to remain at his/her assigned duty until properly relieved or excused.
- **Personal Conduct**
 - A Class 2 infraction occurs when employees conduct themselves in an unbecoming manner with the public or other employees.
 - A Class 2 infraction occurs when employees exhibit poor work habits including loafing, wasting time, loitering, excessive visiting, sleeping on the job, or disorderly conduct.
 - A Class 2 infraction occurs when employees have excessive tardiness or late starting work after on the clock.
- **Refusing To Perform**
 - A Class 2 infraction occurs when an employee refuses to drive a mechanically-safe vehicle as assigned.
 - A Class 2 infraction occurs when an employee is uncooperative in attitude or conduct toward a supervisor or manager.
- **Properly Assigned Vehicle**
 - A Class 2 infraction occurs when an Operator, or employee in a job requiring a CDL license, negligently takes a vehicle from the yard other than the vehicle to which he/she is properly assigned.
- **Accident/Occurrence/Incident/Reporting**
 - A Class 2 infraction occurs when an employee fails to properly and immediately notify a supervisor or manager of any personal injury or damage to property incurred while on duty or on NTMC property or equipment; or failure to immediately, or as directed by a supervisor, fill out an accident/incident report.
 - An accident compounded by other violations of this code constitutes a Class 2 infraction.
 - A Class 2 infraction occurs when an employee fails to report a moving violation, a citation and/or a conviction.

- A Class 2 infraction occurs when an employee exhibits negligent damage to equipment.
- **Failure to Complete Assigned Route/Trip**
 - A Class 2 infraction occurs when an Operator fails to operate over an assigned route, turns back, or deviates from or fails to complete a trip or work assignment without permission.
- **Improper Operation**
 - A Class 2 infraction occurs when an employee engages in careless driving or allows a passenger to alight from a moving coach.
 - A Class 2 infraction occurs when an employee fails to operate any DCTA vehicle in a consistently safe manner thereby endangering themselves or passenger.
 - A Class 2 infraction occurs when an employee intentionally abuses equipment or property.
- **Operator Schedule Response**
 - A Class 2 infraction occurs when an Operator leaves the yard or terminal late or ahead of time without permission from Dispatch or Supervisor.
 - A Class 2 infraction occurs if the Operator intentionally runs behind schedule or fails to report a delay of schedule.
- **Non-Uniform Attire**
 - A Class 2 infraction occurs when an employee wears civilian attire or a visible non-uniform item when on duty, except as authorized.
- **Passenger Public Relations**
 - Persons subject to this code will be found in violation of the article if they conduct themselves in a manner that can damage the reputation of NTMC or DCTA. This comprises all infractions not mentioned specifically which are prejudicial to good order and discipline or may bring discredit upon NTMC or DCTA.
 - A Class 2 infraction occurs when an Operator engages in an argument with a passenger or when the Operator leaves the driver's seat to participate in an altercation with a passenger, pedestrian, or other motorist.
- **Schedule Deviations**
 - A Class 2 infraction occurs if an Operator is running ahead of schedule without official authorization or causes an unnecessary delay of schedule.
- **Tobacco**
 - A Class 2 infraction occurs if an Operator uses tobacco or smokes in any capacity (i.e. cigarettes, e-cigarettes, vaping, chewing tobacco, snuff) while on DCTA vehicles, in a public waiting area and/or at all times while at or near fuel tanks and pumps.
- **Improper Radio Use**
 - A Class 2 infraction occurs when proper 10-codes are not used in all radio transmissions or overall improper use of the two-way radios.

CLASS 3 INFRACTIONS

These infractions are considered a major secondary violation of NTMC performance code. An intelligent and conscientious observance of all rules and regulation is necessary to deserve and maintain the support of the public and build a good record. Although these

occurrences or incidents are under control of the employee, the first offense may result in a written reprimand. The following are examples of Class 3 infractions.

- **Operator – Passenger Courtesy**
 - A Class 3 infraction occurs when an Operator passes up passengers, fails to wait for connections, or fails to yield his/her seat when riding as a passenger or observer to a paying passenger when no other seats are available.
 - A Class 3 infraction occurs when the Operator fails to give satisfactory information to passengers, discharges or loads passengers other than in accordance with current instructions.
 - A Class 3 infraction occurs if an Operator responds discourteously to a passenger, intentionally carried passengers beyond their destination, fails to call transfer points and intersections, or fails to wait for elderly, disabled or infirmed passengers to be seated before moving the coach.
- **Incomplete, Late, Improper or No Report**
 - A Class 3 infraction occurs when an Operator submits a bad order report on a vehicle which is subsequently found to be in good operating condition or turns in an incomplete vehicle inspection report.
 - A Class 3 infraction occurs when an employee fails to report defective equipment.
 - A Class 3 infraction occurs when an Operator fails to submit a properly completed accident/incident report or fails to obtain available witnesses and collect courtesy cards at the scene when involved in an accident or incident.
 - A Class 3 infraction occurs when an Operator fails to accurately complete and promptly submit any reports required and/or are instructed to submit by Supervisor or Dispatch.
- **Failure to Seek Or Obey Supervisor's Orders**
 - A Class 3 infraction occurs when an employee fails to seek or obey a supervisor's order in case of an accident, disabled vehicle, special assignment, or other extraordinary situation or delay.
 - A Class 3 infraction occurs when an employee is insubordinate to their supervisor's orders, fails to follow instructions, or defies instructions altogether.
- **Unauthorized Financial Transaction Solicitations**
 - A Class 3 infraction occurs when an employee sells or offers for sale any goods or service to other employees, patrons, or visitors to NTMC or DCTA property or equipment, except on the authorized intranet in the Operator's lounge area.
 - A Class 3 infraction occurs when an employee solicits or collects contributions regardless of the intended purpose, unless he/she has first obtained authorization from management.
- **Mismanagement of Fares, Accountability Failure**
 - A Class 3 infraction occurs when an employee issues an incorrect or improper transfer, fails to honor a correct transfer, or fails to clear the fare box inspection plate.
 - A Class 3 infraction occurs when the Operator fails to properly account for passengers and fares when requested to do so.

- **Improper Vehicle Operation**
 - A Class 3 infraction occurs if an Operator uses door interlocks in place of parking brake, blocks a lane or intersection, indulges in excessive conversation while coach is in motion, baby-sits on duty or leaves driver's seat while passengers are alighting.
 - A Class 3 infraction occurs when an employee violates any published rule for safe and courteous operation of vehicles including, but not limited to, traffic ordinances. Violations include following too closely, having the door open while vehicle is in motion, failing to stop at railroad crossing, or otherwise being inattentive to driving.
 - A Class 3 infraction occurs when an Operator fails to come to a complete stop at yield signs.
- **Improper Vehicle Parking**
 - A Class 3 infraction occurs when an Operator leaves the coach to conduct personal business.
- **Unauthorized Radio/Cellular Phone/Tablet Use**
 - A Class 3 infraction occurs when a Company-owned radio, cellular phone, tablet, or similar electronic device is used for non-Company business. Any usage charges to the Company will be deducted from the employee's paycheck.
- **Improper Uniform Use**
 - A Class 3 infraction occurs if the employee is wearing the uniform improperly while on or near NTMC property, either on or off duty.
- **Carrying, Playing, Listening To Audio Device On Duty**
 - A Class 3 infraction occurs if an Operator has in his/her possession or uses any personal radios, recorders, or any audio or visual devices while on duty.
- **Offensive Personal Conduct**
 - A Class 3 infraction occurs when an employee relieves the "call of nature" on or near DCTA property or equipment, or in any public place other than a restroom.

CLASS 4 INFRACTIONS

These infractions are considered a lesser secondary violation of the NTMC performance code. Although the first offense generally triggers a verbal reprimand and the second offense usually brings a written reprimand, it should be noted that repeated violation will lead to dismissal. The following are example for Class 4 infractions:

- **Operator On-Coach Management**
 - A Class 4 infraction occurs when an Operator keeps doors closed at terminals to keep prospective passengers off the coach; carries passengers or relatives for the purpose of visiting; allows passengers to smoke, eat or drink while on the coach; or fails to request passengers to move away from the entrance door and front vestibule.
 - A Class 4 infraction occurs if an Operator eats/drinks anything while on the coach, except at the end of the line.
 - A Class 4 infraction occurs when an Operator fails to make an effort to wait for a passenger attempting to obtain change.
 - A Class 4 infraction occurs when an Operator fails to carry necessary supplies and a reliable timepiece while driving the coach.

- **Irresponsible Vehicle Operation**
 - A Class 4 infraction occurs when an Operator uses the horn excessively or fails to use the horn when required, or places unauthorized articles on the dash or fare box.
 - A Class 4 infraction occurs when an Operator passes another NTMC coach in service in a restricted district or inadvertently takes the wrong coach from the yard.
 - A Class 4 infraction occurs when an Operator fails to turn on exterior and interior lights during hours of darkness or fails to display proper destination signs.
- **Uniform Appearance, Display**
 - A Class 4 infraction occurs when an employee reports for duty in an improper uniform, presents an untidy appearance of person or uniform or improperly displays uniform articles.
- **Irresponsible Parking**
 - A Class 4 infraction occurs if an employee parks a personal vehicle in a restricted area location on NTMC or client property.
 - A Class 4 infraction occurs when an Operator fails to park a coach in the assigned location or improperly parks the coach, or when the Operator fails to shut off the engine at the end of the line when the layover is longer than 30 minutes.
- **Administrative**
 - A Class 4 infraction occurs if an Operator fails to provide NTMC with current address and telephone number or fails to inform NTMC of changes in status of dependents for insurance coverage, litters the operator's lounge area or restrooms, or uses tobacco in restricted areas of the property or on equipment.
 - A Class 4 infraction occurs when an Operator fails to read notices and bulletins and is not making an effort to stay informed.

SECTION 10 – DISCIPLINE/PREVENTABLE ACCIDENTS**EMPLOYMENT DISCIPLINE FOR MOVING VIOLATIONS (other than serious traffic violations):**

Violation	Action
One violation	Written warning
Two violations within any 36-month period	Suspension of three days (unpaid) and 1-year probation
Three violations within any 36-month period	Termination

Serious Traffic Violations:

Violation	Action
First violation	Written warning
Second violations within any 36-month period	Disqualified for 60 days
Three violations within any 36-month period	Termination

Serious traffic violations are as defined by the Federal Office of Motor Carrier Safety Regulations part 383.5:

- Excessive speeding involving any single offense for any speed of 15 miles per hour or more above the posted speed limit;
- Reckless driving, as defined by state or local law or regulation including, but not limited to offenses of driving a commercial motor vehicle in willful or wanton disregard for the safety of persons or property;
- Improper or erratic lane changes;
- Following vehicles ahead too closely; or
- A violation arising in connection with a fatal accident of state or local law relating to motor vehicle traffic control (other than parking violation).

PREVENTABLE ACCIDENTS

Determination of Accident Preventability. Using the corresponding National Transportation Institute Guidelines, the Safety, Security & Training Manager is responsible for determining whether an accident is rated “preventable” or “non-preventable.” The General Manager is responsible for taking appropriate disciplinary action based on the determination of preventability for all accidents.

Preventable Accident – As per the National Safety Council, when contact other than with the tires meeting the road occurs and the driver fails to do everything that they reasonably could have done to avoid the collision.

Grades of Accident Severity. Preventable accidents will be graded by severity as follows:

- A. Minor
 - a. No bodily injury

- b. No damage to vehicle/Estimated cost for repair up to \$1000 (i.e: Mirror rubs, bumper or panel “marked” but not dented or broken, etc.)

B. Standard

- a. Possible injury not removed from scene
- b. No vehicles towed
- c. Estimated damage less than \$2,000 for parts and labor
- d. Passenger Accidents*

*Per the National Safety Council: “*Passenger accidents in any type of vehicle are preventable when they are caused by faulty operation of the vehicle. In the event that the operator stops, turns or accelerates abruptly, the accident should be deemed preventable. Emergency action taken by the operator to avoid a collision should be evaluated carefully to determine if proper driving prior to the emergency would have eliminated the need for the evasive maneuver.*”

C. Serious

- a. Meets FTA guidelines for drug/alcohol testing
 - i. An individual suffers bodily injury and immediately receives medical treatment
 - ii. One or more vehicles incurs *Disabling Damage**
- b. Estimated damage to vehicle is more than \$2,000 for parts and labor

**Disabling Damage* is defined as damage that precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated.

Disciplinary Action for Preventable Accidents. Disciplinary action for standard and serious preventable accidents will generally be determined as follows:

- **1st preventable:**
- Written reprimand, Letter of explanation, Retraining
- **2nd preventable within a 24-month period:**
- 3-day unpaid suspension, Letter of explanation, Retraining
- **3rd preventable within a 24-month period:**
- 5-day unpaid suspension, Letter of explanation, Retraining
- **4th preventable within a 24-month period:**
- Termination

The above guidelines are based on a “standard” preventable accident. For the purpose of discipline, two minor preventable accidents will equal one standard preventable accident.

Company Rights. Where an operator’s unsafe conduct resulting in the preventable accident is sufficiently severe, NTMC may bypass any or all steps of progressive discipline for preventable accidents. The Company reserves the right

to evaluate all accidents and administer more severe disciplinary action on accidents that have unsafe or hazardous circumstances surrounding these occurrences. This evaluation will be done on a case by case basis. The Company also reserves the right to take disciplinary action when an employee's accident record is deemed negligent.

EMPLOYEE RESPONSIBILITY (DRIVING RECORDS AND CRIMINAL RECORDS)

Employees whose job requires them to have a valid Commercial Driver's License (CDL) fall under the same guidelines as Operators. NOTE: The term "operator" also pertains to employees whose job requires a valid CDL, are responsible for notifying their supervisor of any of the following events, within the time frame stated:

DUI/DWI ARREST

If an operator is arrested and formally charged with Driving While Intoxicated or Driving Under the Influence or having excessive blood alcohol content (0.02 or higher), the operator must provide written notification of the event to his or her supervisor prior to the operator's next job shift. If the arrest stems from an on-the-job occurrence, the operator must report the situation to his or her supervisor immediately.

NOTE: North Texas Mobility Corporation policy regarding employee reporting of DUI/DWI related convictions is discussed below.

- **Moving Violation Conviction:** if the operator is convicted of a moving violation in a Company vehicle, the operator must report the conviction to his or her supervisor within (7) calendar days after the date of the conviction.
- **Accident:** If the operator is involved in an accident in a Company vehicle, he or she must report the accident to his or her supervisor immediately.
- An employee who fails to notify the Company of any of the above occurrences within the time frame indicated will be subject to disciplinary action, which may include termination.

DUI/DWI POLICY

An operator arrested and formally charged with any of the offenses listed below will be placed on administrative suspension without pay until the case is resolved. A conviction will result in immediate termination:

- driving while intoxicated
- driving under the influence
- having excessive blood alcohol content
- any other driving violation relating to drugs or alcohol

A conviction, for purposes of this procedure, includes a finding of guilty by a judge or jury, a plea of *nolo contendere*, no contest or plea of guilty. Failure to notify NTMC of a DUI/DWI arrest shall be subject to discipline up to and including termination.

COMMERCIAL DRIVER'S LICENSE REGULATIONS

The requirements for commercial vehicles are listed as follows:

- You must notify your employer before the end of the business day following the day you receive notice of the action, if your license is suspended, revoked, or canceled or if you are disqualified from operating a commercial vehicle.
- You must notify your employer of all traffic convictions. This includes those in your private automobile as well as a commercial vehicle. Notification must be in writing within thirty days of the conviction.

- Under CDL requirements you must notify the Department of License of all out-of-state traffic convictions. Notification must be in writing within 30 days of the conviction.
- In addition to NTMC's policies concerning motor vehicle violations, a CDL holder may be legally disqualified or lose their commercial driver's license, for certain convictions. For example, CDL rules state that you will be legally disqualified:
- If convicted of two serious traffic violations within three years, you may lose your license for 60 days. A third conviction within three years results in 120-day disqualification
- A driver is disqualified for one year for a first-time conviction of the following offenses while operating a commercial vehicle:
 1. excessive speed (15 MPH over posted limit);
 2. reckless driving;
 3. negligent driving;
 4. improper lane changes;
 5. driving under the influence of alcohol or any drugs;
 6. driving with an alcohol concentration of .04 or more;
 7. leaving the scene of an accident;
 8. using a commercial vehicle in the commission of a felony; or
 9. refusing to take a blood alcohol test.
- If convicted of any of the above listed offenses while operating a vehicle placarded for hazardous materials, the disqualification is increased to three years (from the one-year suspension). A second conviction of the above offense may result in disqualification for life. The second conviction may be for the same or a different offense.
- Using a commercial vehicle in the making, selling or distribution of illegal drugs will result in disqualification for life.

Depending on the severity of the violation, an operator may be subject to disciplinary action regardless of the operator's previous driving record.

North Texas Mobility Corporation

Employee Handbook Acknowledgement & Receipt

By signing, I acknowledge receipt of the NTMC Employee Handbook. I understand that it is my responsibility to familiarize myself with the contents of the handbook and to comply with the outlined policies and procedures. Violation of company policies or procedures may result in disciplinary action up to and including termination of employment.

I further understand that the handbook describes certain work rules of NTMC and does not constitute a formal contract of employment. The handbook is the property of NTMC and shall be returned to the Company if I leave this assignment for any reason.

Name: _____

Signature: _____

Position: _____

Date: _____



Employee Handbook

Staff

October 2019

NORTH TEXAS MOBILITY CORPORATION (NTMC) EMPLOYEE HANDBOOK

INTRODUCTION

The North Texas Mobility Corporation (NTMC) is committed to a goal of excellent performance by all employees. Our primary mission is to provide the best service possible to the public we serve.

It is our policy to recognize all employees both as a group and as individuals for exemplary or commendable performance on the job. Administrative and supervisory personnel are leaders whose objective is to assist all of our employees and the public we serve to provide the best service possible.

Whenever an employee is subject to discipline, the employee's total work record including all violations is reviewed before determining any penalty. Penalties for violations of multiple rules occurring during the same time period will be dealt with at the discretion of management. This code is not intended to provide rigid discipline guidelines on management or the employee when discipline is warranted. The seriousness of the violation is also a factor in the penalty assessed.

In order to retain necessary flexibility in the administration of policies and procedures, NTMC reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this Handbook, except for its policy of employment-at-will. Exceptions to these policies may be granted only after review and final approval by the General Manager or NTMC Officers. Employees will be notified in writing of any and all changes to this Handbook and asked to sign an updated acknowledgement form.

This Handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor NTMC is bound to continue the employment relations if either chooses, at its will, to end the relationship at any time. Either the employee or the employer can terminate the relationship at any time for any or no reason. However, under no circumstances will an employee's constitutional rights be violated in the process. Employees are encouraged to familiarize themselves with the contents of this Handbook.

WELCOME ABOARD

We are happy to have you as part of the NTMC team! We believe that your talents and hard work will contribute to the success and growth of this agency. As chosen representatives of North Texas Mobility Corporation, let us strive as individuals and as an organization to make our service outstanding for courtesy and consideration to those whom it is our goal and pleasure to serve.

The success of NTMC depends on our ability to operate as a unified team. Each staff member plays a contributing role which allows NTMC to carry out the vision of this organization.

At NTMC we strive to practice the following core values each day:

- We care about our fellow co-workers and ourselves
- We give people the tools they need to do a quality job
- Our daily actions are guided by moral principles that we do not compromise
- We listen to each other and anticipate the problems that others might encounter in their jobs
- We answer questions straightforwardly and provide honest feedback and evaluation
- We set standards and apply them equitably
- We adapt to changing circumstances and routines
- We recognize that everyone has a role to play in making our system the best that it can be
- We trust that each person will perform a job responsibly
- We are serious about our work, but value a light-hearted, friendly workplace

We are very excited to have you join our team and believe that you can use your skills and talent to make our company reach new levels. Welcome aboard!

Linda Hapeman
General Manager
Bus Operations

SECTION 1: EMPLOYMENT AT NTMC **EMPLOYEE HANDBOOK**

The policies outlined in this Handbook summarize selected policies and procedures of NTMC. All policies, guidelines, rules, and procedures are periodically reviewed and evaluated, and are subject to change at NTMC's discretion. NTMC reserves the right to amend, revoke, replace or suspend any or all of the policies and procedures contained within this Handbook.

STATEMENT OF COMPANY OPERATING PHILOSOPHY

Providing our customers with safe, reliable and quality service is the vital ingredient to maintaining our customers' good will and thus perpetuating the Company's very existence. In this regard, our intention is to attract the highest quality team members to perform services for the benefit of the Company, the communities we serve, and the passengers we transport.

NTMC is committed to the payment of reasonable and competitive wages, and to providing employee benefits which reward each employee for their skills, efforts, cooperation, and results. We shall practice the fairest of person-to-person relations to assist in maintaining trust, confidence, and respect of all employees.

REQUIRED KNOWLEDGE OF RULES, REGULATIONS, AND PROCEDURES

Employees are required to be familiar with the contents of this Handbook. Lacking knowledge or understanding of the rules, operating procedures, special orders or special instructions will not excuse negligence. All employees are subject to the rules, regulations and procedures outlined in this Handbook. An employee who does not understand the meaning of a rule, operating procedure, special order or instruction must request assistance from a supervisor.

EMPLOYEE RESPONSIBILITY

All employees are subject to the rules, regulations and procedures contained in this Handbook. An employee who does not understand the meaning of a rule, operating procedure, special order or instruction must request assistance from a supervisor or NTMC Human Resources.

MANAGEMENT AUTHORITY

General and final authority for personnel administration rests with the General Manager and NTMC Officers, with the exception of matters reserved to the Board of Directors by State law.

NTMC may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time. The issuance of these policies and procedures does not constitute a contract between NTMC and its employees for any duration of employment.

i. Departmental Policy and Procedural Requirements. Individual NTMC departments may develop policies and procedures that are consistent with NTMC policies and procedures contained herein. Departmental policies and procedures will not become effective unless they have been reviewed and approved in accordance with this guide.

ii. Miscellaneous. Policies and procedures apply to all employees of NTMC, both on and off duty where applicable, unless otherwise indicated, restricted by proper authority, or prohibited by State and/or Federal law.

iii. General Manager's Authorization. Any conflicts, questions, or ambiguities in NTMC or departmental policies and procedures will be decided by the General Manager. The General Manager may delegate rights and powers granted under these policies and procedures.

SPECIAL ORDERS AND INSTRUCTIONS

Special orders and instructions are issued periodically in bulletins, notices and memos, postings on designated bulletin boards or posted to the NTMC intranet; unless otherwise noted these bulletins and notices remain posted for 30 days. Defacement or unauthorized removal of any posted material is grounds for disciplinary action. Regulations and procedures posted are to be followed during the stated period that they are in effect.

Failure to obey a clear and direct oral or written instruction from supervisory staff may be considered insubordinate behavior.

EQUAL EMPLOYMENT OPPORTUNITY/AFFIRMATIVE ACTION

North Texas Mobility Corporation (NTMC) is committed to the concept of equal opportunity in employment as a necessary element of the basic merit system principle and as a means of using and developing previously underutilized NTMC Human Resources. NTMC is committed to offer equal opportunity to all qualified employees and applicants for employment with regard to race, national origin, age, gender, sexual orientation, creed or religious opinions or affiliations, veteran status or disabilities and will comply with applicable State or Federal Law. NTMC will take positive action and provide a fair system to ensure fulfillment of this policy in areas of recruitment, hiring, placement, promotion, transfer or demotion, and other terms, conditions and privileges of employment. Further, discriminatory harassment of employees, whether by managers or co-workers, will not be tolerated.

DISABILITY ACCOMMODATION

North Texas Mobility Corporation (NTMC) will meet the requirements within the Americans with Disabilities Act (ADA) as they pertain to employment. All obligations will be met with regard to applicants for employment, as well as current employees.

Employees and employment applicants shall provide timely notice and documentation of their disability, and if known, the accommodation(s) requested. NTMC will provide a reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to safely perform the essential functions of the position at issue. NTMC will not deny employment opportunities on the basis of the need to provide reasonable accommodation to the individual's physical or mental impairments, unless it would cause an undue hardship to NTMC or constitute a threat of safety to the disabled person or other persons. The employee must be able to perform the essential functions of his/her position, with or without reasonable accommodation to be considered qualified for his/her position.

An employee must notify NTMC immediately if he/she believes he/she has a condition that would in any way hinder his/her ability to perform any of his/her job duties safely. Employees must request an accommodation prior to any accident or violation of policy caused by the disability. NTMC will apply company policy and administer appropriate disciplinary action to employees involved in accidents or violations of policy, regardless of employee's level of ability or disability.

NTMC will not create vacant positions, offer reassignment to promotional positions, or waive job qualifications or probation in the disability accommodation process.

Providing reasonable accommodation does not create an employment contract or term or limit the reasons for dissolution of the employment relationship. Reasonable accommodation does not constitute an express or implied contract, nor any waiver of any right of NTMC..

Employees or applicants who have a complaint involving potential violations of the Americans with Disabilities Act, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately report such complaint to NTMC Human Resources.

LIFE-THREATENING ILLNESSES IN THE WORKPLACE

Employees with life-threatening illnesses, such as cancer, heart disease, and AIDS, often wish to continue their normal pursuits, including work, to the extent allowed by their condition. NTMC supports these endeavors as long as employees are able to meet acceptable performance standards. As in the case of other disabilities, reasonable accommodations will be made in accordance with all legal requirements, to allow qualified employees with life-threatening illnesses to perform the essential functions of their jobs.

Medical information on individual employees is treated confidentially. NTMC will take reasonable precautions to protect such information from inappropriate disclosure. Managers and other employees have a responsibility to respect and maintain the confidentiality of employee medical information. Anyone inappropriately disclosing such information is subject to disciplinary action, up to and including termination of employment.

Employees with questions or concerns about life-threatening illnesses are encouraged to contact NTMC Human Resources for information and referral to appropriate services and resources.

IMMIGRATION LAW COMPLIANCE

NTMC 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.

Employees with questions or seeking more information on immigration law issues are encouraged to contact NTMC Human Resources. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

E-Verify. NTMC uses E-Verify for all verifications of employment. Every new employee must complete an I-9 Form in compliance with requirements of the Immigration Reform and Control Act (IRCA) before he or she can be hired as an employee. Re-verification of work authorization is required upon expiration.

If E-Verify cannot confirm that you are authorized to work, NTMC will provide you written instructions and an opportunity to contact Department of Homeland Security (DHS) or Social Security Administration (SSA) so any discrepancy or issue can be addressed. NTMC does not discriminate based on an individual's citizenship status. However, all NTMC employees must be authorized to work legally in the United States. NTMC will do its best to work with the prospective employees to resolve E-Verify issues; however, NTMC will not guarantee or hold a position open for an individual who cannot be confirmed as legally authorized to work in the United States through the E-Verify system.

EMPLOYMENT-AT-WILL

Employment with NTMC is for no fixed or definite term. All employment by NTMC has been and continues to be at-will. That means that both the employee and/or NTMC have the right to terminate employment at any time, with or without notice, and with or without cause. This Handbook does not constitute a contract of employment. Nothing in this Guide is intended to alter the continuing at-will status of employment with NTMC.

Although adherence to these policies is considered a condition of continued employment, nothing in these policies alters an employee's status and shall not constitute nor be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any or no reason, without notice, and NTMC retains the right to terminate any employee at any time, for any or no reason.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the General Manager or NTMC Officers.

EMPLOYMENT OF RELATIVES

NTMC is committed to a policy of employment and advancement based on qualifications and merit. While NTMC does not prohibit the employment of relatives, it has established these guidelines to protect employees, further NTMC operations, and foster a culture of fairness.

NTMC will consider hiring or promoting relatives of individuals currently employed only if: a) candidates for employment will not work directly for or supervising a relative, and b) candidates for employment will not occupy a position in the same line of authority in which employees can initiate or participate in decisions involving a direct benefit to the relative. Such decisions include (but are not necessarily limited to) hiring, performance, transfer, promotion, assignments, wages, and leave requests.

"Relative" is defined as one of the following: relationships by blood—parent, child, grandparent, grandchild, brother, sister, uncle, aunt, nephew, niece and first cousin; and relationships by marriage—husband, wife (as defined by state law), step-parent, step-child, brother-in-law, sister-in-law, father-in-law, mother-in-law, son-in-law, daughter-in-law, half-brother, half-sister, uncle, aunt, nephew, niece, spouse/partner of any of the above and co-habiting couples or significant others. Persons who intend to marry or with whom the employee intends to form a domestic partnership or other intimate relationship are included in the definition of relative.

The Company reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives.

Notification of Termination Date. NTMC Human Resources, or the employee's Supervisor, will issue notice of the date of termination at the beginning of the 90-day period.

Application of Policy. This policy applies to all employees at NTMC.

CONFIDENTIAL INFORMATION

The protection of confidential business information and trade secrets is vital to the interests and the success of NTMC. Such confidential information includes, but is not limited to, the following examples:

- Personnel files
- Specifications
- Proposals for vehicles, equipment, and the like

- Compensation data
- Computer programs and codes
- Financial information

Employees who are exposed to confidential information may be required to sign a non-disclosure agreement as a condition of employment. Employees who improperly use or disclose trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment, even if they do not actually benefit from the disclosed information.

INTERPERSONAL RELATIONSHIPS

Employees are not permitted to engage in a dating relationship with another employee whom he or she supervises or by whom he or she is supervised, or where one party has influence over the other parties' terms and conditions of employment. The Company reserves the right to take prompt action if an actual or potential conflict of interest arises involving romantic or intimate relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

To the extent possible, a supervisor who has had a former or "ex" familial or romantic relationship with a subordinate will not be involved in decisions relating to that subordinate's promotions, raises, performance, termination, or other terms and conditions of employment.

Employees who have had or develop dating relationships with a non-supervisor/subordinate working in another department are expected to maintain a professional relationship. Should such a relationship interfere with NTMC's operations, one of the parties to the relationship may be required to seek a transfer, change to a different department, or resign from employment.

EMPLOYMENT APPLICATIONS

NTMC relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

JOB POSTINGS

NTMC provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. In general, notices of all job openings are posted, although NTMC reserves its discretionary right to not post a particular opening.

Job openings will be posted on the employee bulletin board and normally remain open for five (5) days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, essential duties, and qualifications (required skills and abilities).

JOB DESCRIPTIONS

Each employee will be provided with a job description describing the functions and qualification for the position he or she holds.

EMPLOYMENT REFERENCE CHECKS

To ensure that individuals who join NTMC are well qualified and have a strong potential to be productive and successful, it is the policy of NTMC to check the employment references of all applicants.

NTMC Human Resources will respond to all reference check inquiries from other employers. Responses to such inquiries will confirm only dates of employment and position(s) held. No other employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

EMPLOYEE MEDICAL EXAMINATIONS

To help ensure that employees can perform their duties safely, medical examinations will be required for certain job categories.

After an offer has been made to an applicant entering a designated job category, a medical examination will be performed at NTMC's expense by a health professional of NTMC's choice. The offer of employment and assignment to duties is contingent upon satisfactory completion of the exam.

Prospective employees seeking positions which are safety sensitive by DOT standards are required to pass a Department of Transportation (DOT) pre-employment physical exam. NTMC will pay for one (1) appointment with a physician of its choice for renewal of operators' Medical Examiners' Certificate. If a conditional Certificate is issued by the NTMC appointed physician, the employee must, at his or her own expense, be examined by a physician of his or her own choice, who is a licensed medical doctor in the State of Texas (and certified to administer DOT medical examinations) for the purpose of obtaining a non-conditional medical examiners certificate.

Current employees may be required to take medical examinations to determine fitness for duty. Such examinations will be scheduled at reasonable times and intervals and performed at NTMC's expense. Employees will not be paid hourly wages while undergoing physicals.

Information on an employee's medical condition or history will be kept separate from another employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know. Employees may not operate revenue vehicles while Medical Examination Certificates are expired.

NTMC EMPLOYEE PRINCIPLES

For our employees, NTMC will strive:

- To treat you as a professional and provide a climate of trust, respect, integrity and honesty;
- To ensure a safe working environment through the development of safety programs, driving training and well-maintained equipment and facilities;
- To encourage two-way communication between you and management;
- To communicate the standards of your job and the requirements of our customers;
- To provide you with training to perform your job effectively;
- To recognize your need to maintain a balance of work, family, community and personal activities;
- To treat you as a valuable member of the NTMC team.
- Possess a positive attitude and practice good judgement

- Care for the organization's well-being and for the co-workers he/she interacts with
- Uphold an influential and welcoming communication style, while supporting a team-oriented and helping environment
- Foster a culture that encourages constructive feedback, engagement, inclusion, and diversity at all levels

As Professionals, our employees will strive:

- To represent NTMC in a professional manner to the customer, the general public and the transportation industry;
- To maintain the highest regard for safety;
- To provide our customers with consistent, high-quality service;
- To meet or exceed job standards and customer requirements;
- To maintain the highest standard of ethical and legal conduct and to encourage others to do the same;
- To properly care for all equipment;
- To take an active role in communicating ideas, issues and suggestions to management;
- To be a valuable member of the NTMC team

AMENDMENT OF POLICIES

Amendments to the Employee Personnel Guide must be approved by the General Manager or NTMC Officers. The General Manager makes all personnel policies, and is responsible for the implementation of the policies.

APPLICATION OF POLICIES

The Employee Personnel Guide policies shall apply consistently and uniformly to all NTMC employees, provided that the provisions may be varied in the case of an employee with a written employment agreement approved by the Board of Directors. All employees must become familiar with, and abide by, these policies. DCTA reserves the right to revise or rescind any policy at any time. DCTA also reserves the right to make final decisions as to the interpretation and intent of all information contained in the Employee Handbook.

SECTION 2 – ATTENDANCE, HOLIDAYS, & EMPLOYEE LEAVE

ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, NTMC expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on NTMC. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment. In addition, the lack of notifying one's supervisor or manager may lead to disciplinary action, up to and including termination of employment.

LEAVE OF ABSENCE WITHOUT PAY

In extraordinary circumstances, and upon written request, the General Manager may grant a leave of absence without pay. This leave shall not exceed 90 days. A leave of absence without pay may not be used to take time off that was due to a denied vacation request, nor can it be used to try different employment. Where applicable, this policy will be administered consistently with NTMC's obligations under the Americans with Disabilities Act (ADA) & Family Medical Leave Act (FMLA). A leave of absence will not be authorized unless there is a reasonable expectation that the employee will return to employment with NTMC at the end of the approved leave period.

All vacation, sick, or related time must be used prior to authorizing an unpaid leave of absence to an employee. The General Manager may revoke authorized leave without pay at any time. Failure to return to work after the expiration of an authorized leave of absence without pay, or failure to provide required supporting documentation, will likely result in revocation of the leave of absence and/or disciplinary action up to and including discharge.

An employee granted a leave of absence must return to work on the date scheduled, or the employee's absence will be considered a voluntary resignation from the employee's job.

HOLIDAYS

Holidays. NTMC provides seven (7) paid holidays to regular full-time employees. work. All other employees are extended the official holiday, but without pay. NTMC observes the following holidays:

- | | |
|------------------------------|-------------------------------|
| • New Year's Day (January 1) | January 1 st |
| • Memorial Day | Last Monday in May |
| • Independence Day | July 4 th |
| • Labor Day | First Monday in September |
| • Thanksgiving Day | Fourth Thursday in November |
| • Day after Thanksgiving | Friday following Thanksgiving |
| • Christmas Day | December 25 th |

NTMC will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

In order for full-time employees to receive pay for the designated holidays, the following conditions must be satisfied:

1. The employee must work their scheduled shift(s) both before and after the holiday.
2. If the employee has been sick for three consecutive days with a legitimate reason, before any holiday, or the employee has been on approved vacation, the holiday will be paid.
3. If the employee arrives to work on time and becomes ill on duty, it will be the responsibility of that employee to prove the illness in order to receive holiday pay for the following day.

If a holiday falls on a Sunday, NTMC will close their offices on the following Monday (all transportation service will still be provided on that Monday). If a holiday falls on a Saturday, NTMC will close their offices on the preceding Friday (all transportation service will still be provided on Friday).

Holiday Occurring During FZ Leave. A holiday that falls within an employee's vacation period will be counted as holiday in lieu of a day of vacation.

Employees Required to Work on a Holiday. If eligible non-exempt employees work on a recognized holiday, they will receive holiday pay plus wages at their straight-time rate for the hours worked on the holiday.

Holiday Pay for Employee Separating from Employment. Except in extraordinary situations, separating employees will not be allowed to use a holiday as their final day of employment.

Holiday Pay for Employees on Paid Leave. An employee on a paid leave status will normally be paid holiday pay in lieu of the leave status pay they would ordinarily receive at the time of the holiday.

Holiday Pay for Employees on Workers' Compensation Leave. An employee on worker's compensation leave will not receive holiday pay.

BEREAVEMENT LEAAVE

Eligibility. NTMC provides regular full-time employees paid time off, up to a maximum of three work days per calendar year in the event of a death(s) in the family, for the purpose of attending the funeral. For the purpose of authorizing bereavement leave, "family" is defined as second degree.

Employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately. If additional time is needed, it may be taken as vacation or unpaid, with the written approval of the General Manager, on a case-by-case basis.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials.

JURY DUTY

Purpose. NTMC provides paid leave to regular full-time employees required to serve on jury duty or requested to testify as a witness by NTMC in a NTMC-related civil, criminal, legislative or administrative proceeding. Court appearances for testimony, investigation and court preparation as a result of official duties as a NTMC employee are compensated as actual hours worked and are not classified as paid leave. In all other cases, employees are required to

schedule accrued vacation, holiday, or unpaid leave; otherwise a non-exempt employee's time off will be considered a leave without pay.

Jury duty pay will be calculated on the employee's base pay rate times the number of hours the employee would otherwise have worked on the day of absence.

Documentation. The employee shall provide documentation of the requirement for jury duty, subpoena compliance, etc., with his/her leave request. Employees must submit supporting documentation to their supervisor as soon as possible so that arrangements can be made to accommodate the absence.

Job Duties. Employees on jury duty leave should keep up with their job responsibilities, if possible. An employee who is on jury duty typically must report for NTMC duty for the remainder of the day upon completion of court or jury service, or request approval for use of other available paid time off.

Payments for Service. Any payment for jury duty received by the employee may be retained by the employee.

Either NTMC or the employee may request an excuse from jury duty if, in NTMC's judgment, the employee's absence would create serious operational difficulties.

NTMC will continue to provide health insurance benefits for the full term of the jury duty absence, as long as the employee contributions are maintained. Vacation, sick leave, and holiday benefits will continue to accrue during unpaid jury duty leave.

VACATION LEAVE

Purpose. Vacation Leave is an earned benefit intended to provide employees with paid time away from the work environment to pursue activities that will promote the well-being of the individual. Vacation Leave may also be used for purposes of attending to personal business, extension of sick leave when sick leave is exhausted, and inability to get to work because of inclement weather, or for other purposes.

Eligibility. Regular Full-Time employees accrue vacation leave on a bi-weekly basis. Regular Part-Time and temporary employees do not earn vacation leave.

Accrual. Employees accrue hours each pay period. An employee is eligible to use vacation only up to the total amount they will accrue in the calendar year. This will be recorded as a negative vacation accrual and be reflected in the employee's vacation accrual in their leave bank. If the employee terminates employment and their vacation accrual bank reflects a negative balance, the dollar value of that leave will be deducted from the last paycheck or must be reimbursed to NTMC for the employee to leave in good standing.

Eligible employees will accrue 3.08 hours per pay period. Eligible employees will accrue 10 vacation days during their first year of service. At the completion five (5) years of service, eligible employees will accrue 4.62 hours per pay period, totaling fifteen (15) vacation days.

Full-time employees, during the 90-day probationary period, will only accrue vacation hours. Vacation hours will not be available to use until completion of the Probationary period. If employment is terminated, either by the employer or the employee, during the initial period, vacation time is not paid.

Use and Scheduling of Vacation Leave. Employees must make vacation requests in advance to obtain approval from their supervisor. Whenever possible, vacation time will be scheduled at the convenience of employees. However, Supervisors must be certain that vacations do not interfere with the normal functions and activities of department operations. Whenever possible, employees are encouraged to submit their preferred vacation schedule to the appropriate supervisor as far in advance as possible, with a requirement of at least seventy-two (72) hours prior, in order to relieve any scheduling problems that may develop. To ensure proper payment of vacation pay, employees must make sure they have an approved vacation request before leaving for vacation. No more than ten consecutive days of vacation time may be taken off, unless the General Manager grants an exception.

Maximum Accruals. All vacation days in excess of five (40 hours) are forfeited at the beginning of the new calendar year. Employees will not be paid for vacation that is forfeited on January 1st. If the needs of NTMC preclude the taking of a scheduled vacation, the General Manager may defer an employee's scheduled vacation leave. In such cases, the General Manager shall grant the employee's deferred vacation leave within 30 days.

Compensation for Vacation Leave. Vacation is paid at the employee's base rate at the time of vacation. It does not include overtime or any special forms of compensation. Vacation time is paid only for hours the employee would ordinarily have worked.

Payment in Lieu of Leave. Employees will not receive payment of vacation in lieu of taking time off and will not be paid for any unused accrued vacation, except upon separation from employment.

Payment for Unused Vacation Leave. Upon termination, retirement, or death, an employee shall be paid for accrued vacation leave at the rate of pay the employee was receiving at the time of separation. Employees who have successfully completed their initial period of employment with NTMC are entitled to this payout provision upon separation. An employee who has been terminated for cause is not eligible to be paid unused accrued vacation leave.

Minimum Increments. For exempt and non-exempt employees, vacation leave must be taken in minimum increments of one hour.

Holiday During Vacation. Official NTMC observed holidays occurring while an employee is on approved paid leave are considered paid holidays and do not affect vacation leave balances. Paid vacation leave is not considered hours worked for purposes of performing overtime calculations. Only scheduled working days taken off shall be counted as vacation days.

SICK LEAVE

NTMC provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries that prevent him/her from working, for visits to the doctor/dentist, or to care for certain family members who are ill or injured.

Eligibility. Full-Time employees accrue sick time on a pay period basis. Part-Time and Temporary employees do not accrue sick leave. Sick leave may not be used before it is accrued.

Accrual Rate. Employees accrue sick time for the first pay period of employment. Sick leave for employees is accrued at 1.5384 hours per pay period, for a total of 5 sick days per year. Sick

leave accrues only during pay periods in which the employee works or is otherwise on an approved paid leave status. The maximum sick leave time which may be accumulated by any employee shall be 30 days (240 hours).

Paid sick leave can be used in minimum increments of four hours.

Communication. Employees who are unable to report to work due to illness or injury should notify their direct manager before the scheduled start of their workday if possible. The direct manager must also be contacted on each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement must be provided verifying the disability and its beginning and expected ending dates.

Failure to Notify/Abuse of Sick Leave. Supervisors closely monitor use of sick leave. It is anticipated that employees using paid NTMC sick time for their own illness/injury or that of a family member will use their sick leave time to recuperate or care for their family member. Trips to the doctor or hospital stays/visits, which take the employee away from the home, are acceptable, but other personal pursuits during paid sick leave will be considered an abuse of this policy. Abuse of sick leave, including use of sick leave for anything other than an illness, injury or doctor/dentist appointment as provided for in this policy, may result in immediate disciplinary action, up to and including termination of employment and may also render an absence or tardiness due to illness, injury or doctor/dentist appointment may be disqualified from using sick leave for their absence.

Documentation. Employees requesting paid sick leave must complete a leave request and submit to their supervisor for approval. An employee must present satisfactory proof of illness/injury that prevents him/her from working whenever the employee uses sick leave for three or more consecutive work days and at any other time, if requested by NTMC. An employee may also be required to present satisfactory proof of family relationship and/or satisfactory proof of a family member's illness, injury and/or doctor/dentist appointment if the employee wishes to use accrued sick leave to care for a family member. If the employee fails to present such proof in a timely manner, use of sick leave will be disallowed and no other paid leave may be used for the absence. Abuse of sick leave may result in discipline up to and including termination of employment.

Other Employment During Sick Leave. Employees on sick leave, whether paid or unpaid, may not work a second job, including self-employment or participate in volunteer work, during the period of leave, even if they have written authorization from their Supervisor to work a second job. Exceptions to this policy must be obtained in writing from the General Manager.

Payment for Sick Leave. Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as short-term disability. Sick leave benefits will not be able to supplement any payments that an employee is eligible to receive from state disability insurance, injury benefit plan or NTMC-provided disability insurance programs. Upon termination, retirement, or death, an employee will not receive payment of unused sick leave.

Returning From Illness. Employees returning from illness must notify NTMC Human Resources, in person or by telephone, before 2:00 p.m. the day before resuming duty.

Employees may be required to obtain clearance from the Company's physician before returning to work.

INCLEMENT WEATHER/EMERGENCY CLOSING

Except for extraordinary circumstances, NTMC offices do not close. All NTMC employees, whether exempt or non-exempt, are expected to make a sincere effort to report to work during inclement weather conditions or other emergency situations.

Communication. The NTMC General Manager or Officers will communicate all closings of departments, offices and/or services.

Employee Notification. If an employee determines that the weather conditions constitute a danger to life and/or property, the employee must notify his/her immediate supervisor and make arrangements to report to work if weather conditions improve.

Payment for Leave. For any leave taken due to inclement weather, an employee may charge to PTO or SPTO. Regular full-time employees who have no accrued time available will take the time as unpaid leave. See the Collective Bargaining Agreement in regard to time paid for actual work during inclement weather/emergency closings.

MILITARY LEAVE

Compliance. NTMC complies with all state and federal laws relating to employees in Reserve or active military service, and does not discriminate against employees who serve in the military. Documentation of military service is required, unless military necessity prevents such notice or it is otherwise impossible, unreasonable, or precluded by military necessity. Notification should be turned into the supervisor and NTMC Human Resources as far in advance of the leave as possible.

Eligibility. This policy covers employees who serve in the uniformed services in a voluntary or involuntary basis, including active duty, active duty for training, initial active duty for training, inactive duty training, and full-time National Guard duty.

Paid Leave for Training and Duty. The leave will be unpaid. However, employees may use any available paid time off for the absence.

Benefits. NTMC will continue to provide employees on paid military leave with most NTMC benefits.

a. Medical and Dental. While an employee is on paid military leave (or any military leave of less than 31 days), NTMC will continue to pay its portion of the monthly premium for group health benefits. When military leave is unpaid, the employee may elect to continue group health coverage for up to 24 months following separation of employment, or until his/her re-employment rights expire, whichever event occurs first, for him/her and eligible dependents. Employees must pay 102% of the applicable premium to cover the cost of elective continuation coverage under the NTMC's group health plan.

b. Waiting Period. Upon an employee's return to employment following military service, NTMC will provide health insurance coverage immediately, even if a waiting period is normally required for new or returning employees. In addition, a returning employee will not be subjected to exclusions from coverage unless the exclusions apply to injuries or conditions that were incurred as a result of military service.

c. Other Benefits. Benefits, such as vacation and sick leave, do not accrue while an employee is on unpaid leave, including unpaid military leave. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee's return to active employment. Once an employee returns to work following an unpaid leave, he/she will be treated as though he/she was continuously employed for purposes of determining benefits based on length of service, such as vacation accrual and longevity pay.

Returning from Leave. Employees who complete their military service will be re-employed in accordance with federal law.

a. Deadline to Notify DCTA of Intent to Return to Work. The deadline for an employee to return to work and/or notify NTMC that he/she intends to return to work following military leave depends upon how long the employee's military service lasted:

- 1) For service of less than 31 days, employees have 8 hours following their return home from service to report for their next scheduled work period.
- 2) For service between 31 days and 180 days, employees have 14 days following their release from service to apply for re-employment.
- 3) For service of more than 180 days, employees have 90 days following their release from service to apply for re-employment.

b. Deadline Extensions. These deadlines may be extended for two years or more when an employee suffers service-related injuries that prevents him/her from applying for reemployment, or when circumstances beyond the employee's control make reporting within the time limits impossible or unreasonable.

c. Required Documentation. To qualify to return to work, an employee returning from leave must provide documentation of the length and character of his/her military service. Also, evidence of discharge or release under honorable conditions must be submitted to NTMC if the military leave lasted more than 31 calendar days.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA.

FAMILY MEDICAL LEAVE ACT (FMLA)

NTMC abides by all provisions of the Family and Medical Leave Act of 1993 (the "FMLA"). Family and Medical Leave is available for all employees who have worked for NTMC for at least twelve months and during which they have worked at least 1250 hours. Hours worked for TMDC shall count towards an employee's qualification for FMLA, so long as there was no break of employment between the employees' term of employment with TMDC and its successor, NTMC.

The following is a summary of the major terms of our FMLA policy. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

An employee on leave will be fully relieved of their work and prohibited from performing any work while on FMLA leave. Only when necessary, NTMC may make sporadic contact with

employee posing general questions or to wrap up a job the absent employee was working on. Making these sporadic calls is not an FMLA violation because the employee is not being asked to perform any type of work.

Absences due to illnesses or injuries which qualify under the Family and Medical Leave Act (FMLA) will not be counted against an employee's attendance.

NTMC will provide an eligible employee up to a total of twelve weeks of unpaid leave during a twelve-month period (measured forward from the first date an employee takes leave) for any of the following reasons:

Eligible employees are entitled to:

- Twelve workweeks of leave in a 12-month period for:
 - the birth of a child and to care for the newborn child within one year of birth;
 - the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - to care for the employee's spouse, child, or parent who has a serious health condition;
 - a serious health condition (as defined by the FMLA) that makes the employee unable to perform the essential functions of his or her job;
 - any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent of the employee is a covered military member on "covered active duty;" including National Guard or Reserves **or**
- Twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

FMLA leave is also available to an employee who is the spouse, child, parent, or nearest blood relative of a member of the Armed Forces, including the National Guard or Reserves, who has sustained a serious injury or illness in the line of duty, provided that such injury may render the service member medically unfit to perform the duties of the member's office, grade, rank, or rating ("Caregiver Leave"). An employee is entitled to a total of 26 work weeks of Caregiver Leave during a twelve-month period to care for the service member. Caregiver Leave is only available during a single 12-month period.

If an employee takes Caregiver Leave, 26 weeks is the maximum numbers of weeks that will be granted to the employee for leave, even if the employee is also eligible for other FMLA leave during the twelve-month Caregiver leave period.

Procedure for Requesting FMLA Leave. All employees requesting FMLA leave must provide the NTMC Human Resources with verbal or written notice of the need for the leave. Within five business days after the employee has provided this notice, the NTMC Human Resources will provide the employee with the DOL Notice of Eligibility and Rights.

When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee

must comply with the company's usual and customary notice and procedural requirements for requesting leave.

Designation of FMLA Leave. Within five business days after the employee has submitted the appropriate certification form, the NTMC Human Resources will provide the employee with a written response to the employee's request for FMLA leave.

Certification for the Employee's Serious Health Condition. NTMC will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Employee's Serious Health Condition (FORM WH-380-E).

NTMC may directly contact the employee's health care provider for verification or clarification purposes. Before the Company makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, NTMC will obtain the employee's permission for clarification of individually identifiable health information.

NTMC will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition (FORM WH-380-F).

NTMC may directly contact the employee's family member's health care provider for verification or clarification purposes. Before NTMC makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the company will obtain the employee's family member's permission for clarification of individually identifiable health information.

Recertification. NTMC may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave. Otherwise, the company may request recertification for the serious health condition of the employee or the employee's family member every six months in connection with an FMLA absence.

Using Leave Time. If an employee has any earned and unused time when he or she goes out on FMLA leave or a personal leave the employee must use his/hers paid time-off days first. After all vacation and sick time has been exhausted, the remainder of the employee's FMLA leave will be unpaid.

Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA.

Employee Status After Leave. After timely returning from FMLA leave, an employee will be restored to the same or equivalent position. An employee who takes leave under this policy will be asked to provide a fitness for duty (FFD) clearance from the health care provider.

Key Employee Exception. Certain key employees may be denied restoration to his or her same or equivalent position if such restoration would cause substantial and grievous economic injury to NTMC's operations. Key employees will be provided written notice of their status as a key employee, the reasons for denying job restoration, and will be afforded a reasonable opportunity to return to immediately return to work.

Benefits While on Leave. During FMLA leaves of absence, NTMC will continue your group health insurance benefits on the same terms as we provide coverage to other employees who are not on leave. This means that if premium payments for insurance coverage are deducted from your paycheck, you must make arrangements to pay the required premium amount each pay period while you are on leave. If you fail to make any required premium payment, your coverage may lapse and you may cease to have benefits. If a discontinuation of your benefits occurs, you will, of course, be provided with notice of your COBRA insurance continuation rights at that time.

Intent to Return to Work from FMLA Leave. The company may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Intermittent Leave or a Reduced Work Schedule. The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

SECTION 3 – MEDICAL, FINANCIAL, & SURVIVOR BENEFITS

HEALTH INSURANCE PORTABILITY & ACCOUNTABILITY ACT (HIPAA)

Confidentiality of Medical Information. Federal law requires that NTMC maintain all employee medical information in separate, confidential files. Therefore, in addition to personnel files, NTMC maintains a separate medical file for each employee. NTMC Human Resources maintains these confidential medical files.

Records Retention. Examples of information that may be provided to NTMC by an employee's health care provider, and maintained in the confidential medical file, include:

- a. a note to justify an absence;
- b. a note to request a leave;
- c. a note to verify the employee's ability to return to work;
- d. medical records to support a claim for sick pay or disability benefits;
- e. insurance records; and
- f. workers' compensation records.

Employee Rights. It is important that employees understand that the records are confidential, but that the confidentiality may be waived when the employee provides medical information to his/her supervisor or NTMC Human Resources. When an employee provides information to his/her supervisor, the supervisor is expected to share the information only on an "as needed" basis to other members of management.

Limitations. In addition to protecting their own confidential medical information, employees must also respect the privacy and confidentiality of their coworkers' medical information. Employees are expected to use discretion and judgment when dealing with such information and are to refrain from passing along information, gossip, rumors or anything else that may constitute an invasion of a coworkers' privacy or breach of confidence.

GROUP HEALTH CONTINUATION COVERAGE (COBRA)

COBRA is a federal law that requires most employers who sponsor group health plans to offer employees and their families the opportunity to temporarily extend their group coverage at group rates in certain instances where coverage under the employer's group health plan would otherwise terminate. The employee is responsible for paying for the cost of any such continuation coverage, plus a small administration fee.

Eligibility. Under COBRA, employees may elect COBRA continuation coverage for up to 18 months after termination of employment (unless the employee is terminated due to gross misconduct), or if an employee's hours are reduced to such an extent that the employee no longer qualifies for participation in the group health plan. Under other circumstances, COBRA coverage is available for up to thirty-six (36) months following a qualifying event.

Notification. Employees must notify NTMC within 60 days of the occurrence of the employee's legal separation or divorce, and/or of a covered dependent ceasing to qualify as a dependent under the medical plan. Detailed COBRA notices are given to employees when an employee becomes eligible for participation in NTMC's group health plan and again when a qualifying event occurs. For more complete information on COBRA and your health plan, you should review your summary plan description, or review a copy of the full health plan, with NTMC Human Resources.

WORKERS' COMPENSATION

Workers' compensation benefits provide compensation for employees who are injured while in the course and scope of employment. These benefits include payment of all reasonable and necessary medical expense(s) relating to the injury, as well as compensation for lost wages, if the employee should miss time from work.

Notification. Employees will immediately report any on-the-job injury to their supervisor and to the Safety, Security & Training Manager. The Safety, Security & Training Manager will file any workers' compensation report required.

Payment for Leave. An employee who is injured on the job and is sent home, or to a hospital, or who must obtain medical attention, will receive pay at the applicable rate for the balance of the employee's regular working day. An employee who has returned to regular duties after sustaining a compensable injury, and who is required by the workers' compensation doctor to receive additional medical treatment during regularly scheduled working hours, will receive the regular rate of pay for such time.

Leave Accrual. Employees receiving workers' compensation benefits will not receive or accrue paid time off. No PTO, Sick, or Vacation leave shall be paid for a period covered by workers' compensation benefits.

Violations. Failure to report in, failure to cooperate with an accident investigation, misrepresenting any facts concerning a workers' compensation injury, missed medical appointments, or refusal of employment offers, may result in disciplinary action up to, and including, termination.

Drug Testing. Any report of injury requiring medical treatment, other than first aid, will require a drug/alcohol screen.

EMPLOYEE BENEFITS

Eligible employees at NTMC are provided a wide range of benefits. A number of the programs (such as Social Security and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. NTMC Human Resources can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in the employee handbook. Some benefit programs require contributions from the employee.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA).

Details of the health insurance plan and information on cost of coverage will be provided in advance of enrollment to eligible employees.

Contact NTMC Human Resources for more information about health insurance benefits.

DISABILITY AND LIFE INSURANCE

All full-time non-union employees that work 32 or more hours per week are eligible for Short Term Disability (STD), Long Term Disability (LTD), and Life Insurance coverage.

HEALTH INSURANCE WHILE ON LEAVE

Group health care coverage will continue for employees on leave as if they were still working. Employees who are granted an approved leave of absence are advised to arrange to pay their share of premiums during the absence. If the leave is paid, premiums will continue to be paid through payroll deductions. If the leave is unpaid, employees are responsible for making sure the company receives premium payments by check no later than the 25th of the month preceding the coverage month, covering amounts for all elected benefits. If payment is not received within 30 days of absence, NTMC is able to terminate benefits. NTMC Human Resources will provide a schedule of payment amounts and due dates at the beginning of any unpaid leave of absence.

If an employee chooses not to return to work after an approved unpaid leave of absence, NTMC may recover from the employee the cost of any payments made to maintain the employee's health insurance. Benefit entitlements based on length of service will be calculated as of the last paid work day before the start of the unpaid absence.

SECTION 4 – COMPENSATION

PAYROLL PROCEDURES

Employees will use the designated timeclocks to clock-in/clock-out for their shifts, and to sign-in for designate schedules onto their timesheet. Supervisors will review and approve all timesheets each payroll period to verify correct hours were worked, and the correct employees are coordinated to the correct schedule each day. Employees cannot clock-in more than 15 minutes prior to the start of their scheduled shift.

All employees must review their timesheets daily to ensure accuracy. All timesheets and changes should be made prior to 6am on Monday mornings. Any time that needs to be corrected, and is noticed after this deadline, will be amended on the following payroll. Additionally, employees are responsible for entering their time-off requests into the payroll system for supervisor review. Employees are responsible for ensuring that time-off requests have been approved and on their timesheets. Any issues that arise, whether a timesheet or time off complication, should be communicated to a supervisor to be corrected.

Making false statements regarding time worked will not be tolerated. Any employee who knowingly falsifies their time will be subject to discipline, up to and including termination.

DIRECT DEPOSIT

To reduce risk for both the employee and the Company, no physical checks are administered through payroll. Therefore, direct deposit is required for all NTMC employees. Please contact NTMC Human Resources for assistance in setting up direct deposit.

BIOMETRIC INFORMATION

NTMC intends to collect and use certain biometric data from our employees. This includes, but is not limited to, the use of fingerprints to access facilities and/or timeclocks. No biometric information will be stored, and it will not be used without the knowledge of the employee. Upon termination, all biometric data will be deleted, and will not continue to be stored.

RATE OF PAY

Generally, overtime pay for non-exempt employees is at the rate of 1.5 times the employee's regular hourly rate of pay for hours actually worked in excess of forty (40) hours in NTMC's work week.

Paid vacation and paid holiday leave are not included as hours worked for purposes of determining eligibility for overtime pay. Additionally, time off on account of PTO leave, jury duty leave, witness duty leave, bereavement leave, or any other leave of absence, is not considered time worked for purposes of performing overtime calculations.

OVERTIME

When business requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. Overtime pay is based on actual hours worked. Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Time off, holidays, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

SOCIAL SECURITY

All NTMC employees shall participate in the Federal Social Security program which provides certain retirement, disability, and other benefits.

Contributions to this program shall be made by deductions from each employee's paycheck in accordance with the requirements of this program.

PAY DEDUCTIONS

The law requires that NTMC make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. NTMC also must deduct Social Security taxes on each employee's earnings. NTMC matches the amount of Social Security taxes paid by each employee.

NTMC offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs.

The following deductions are authorized for payroll deductions:

- (1) Social security contributions;
- (2) Income withholding taxes;
- (3) Contributions to the retirement system;
- (4) Presently authorized medical insurance premiums;
- (5) Presently authorized "other insurance" premiums;
- (6) Presently authorized Cafeteria Plans;
- (7) Garnishments imposed by the court.

Other Deductions. No other payroll deduction privileges are authorized at this time, and no future payroll deduction privilege will be granted without the written approval of the General Manager, except as otherwise provided by law.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

PAYDAYS

Employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous two-week payroll period. For pay purposes, each individual week pay period starts on Sunday and ends on Saturday.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

PAY ADVANCES

NTMC does not provide pay advances on unearned wages to employees.

ADMINISTRATIVE PAY CORRECTIONS

NTMC takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of NTMC Human Resources or the General Manager so that corrections can be made as quickly as possible.

TIMEKEEPING

Accurately recording time worked is the responsibility of every non-exempt employee. Federal

and state laws require NTMC to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment. It is the employees' responsibility to review their time records to certify the accuracy of all time recorded.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions.

EMPLOYMENT CATEGORIES

It is the intent of NTMC to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and NTMC.

Each employee is designated as either **Non-Exempt** or **Exempt** from federal and state wage and hour laws. An employee's Exempt or Non-Exempt classification may be changed only upon written notification by NTMC management.

- An exempt employee is one who is not covered by the overtime provisions under the Fair Labor Standards Act (FLSA).
- Non-exempt employees will be paid overtime or receive compensatory time, under the Fair Labor Standards Act (FLSA) and per departmental policy, for hours worked in excess of 40 hours per work week.

In addition to the above categories, each employee will belong to one other employment category:

Regular Full-Time. Employees that are not in a temporary or introductory status and who are regularly scheduled to work 32 hours or more weekly are considered regular full-time. Generally, they are eligible for NTMC's benefit package, subject to the terms, conditions, and limitations of each benefit program.

Regular Part-Time. Employees that are not assigned to a temporary or introductory status and who are regularly scheduled to work less than the 32 hours weekly are considered regular part-time. Regular part-time employees' hours are not guaranteed. Regular part-time employees may be eligible for some benefits, but not all benefits sponsored by NTMC, subject to the terms, conditions, and limitations of each benefit program.

Probationary. Employees whose performance is being evaluated to determine whether further employment in a specific position with NTMC is appropriate are probationary. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. All non-union employees will begin their employment with NTMC as a probationary employee for a period of three (3) months. After the completion of their introductory period, all employees will be evaluated, and a determination will be made as to the continuance

of employment.

WORK SCHEDULES

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

EMPLOYEE SEPARATIONS

NTMC designates all employee separations as one of the following types:

Resignation. Resignation is a voluntary act initiated by the employee to terminate employment with NTMC. An employee who intends to resign is requested to notify his/her supervisor and/or NTMC Human Resources in writing at least two (2) weeks prior to the last day of work. Employees who fail to give a two-week notice are typically not eligible for rehire, and will not be eligible for payout of accrued leave, without written approval of the General Manager. The supervisor is responsible for immediately notifying NTMC Human Resources. The paycheck for an employee who resigns will be prepared for the next scheduled payday.

Retirement. An employee who intends to retire must notify his/her supervisor and/or NTMC Human Resources, in writing, thirty (30) days prior to the date of retirement.

Dismissal/Termination. NTMC may terminate an employee's employment as a result of unsatisfactory performance or conduct, and/or violation of NTMC policies or procedures, including a new hire who fails probation. NTMC employees who are terminated, or who resign in lieu of termination, due to unsatisfactory performance or conduct, and/or violation of NTMC policies or procedures, are not eligible for rehire, and will not be eligible for payout of accrued leave. If an employee is terminated, his or her paycheck will be prepared and available within six (6) days.

A mailing address will be required from all employees terminating employment from NTMC. This will allow NTMC to mail out the end of the year W-2 to the former employee.

Dismissal may also occur for the following:

a. Job Abandonment. If an employee fails to properly notify NTMC of his/her absence from work, or if an employee is absent without authorization and/or notification for three (3) or more consecutive days, NTMC will normally consider the employee to have abandoned his/her employment, and he/she will be terminated.

b. Long-Term Absence. A supervisor shall be responsible to notify NTMC Human Resources when an employee is absent due to illness for seven (7) consecutive work days so the employee may be evaluated to determine options available to best serve NTMC, and will be administered consistently with NTMC's obligations under the Americans with Disabilities Act.

c. Reductions-in-Force/Reorganization. An employee may be separated from NTMC service when it is deemed necessary by reason of shortage of funds or work, the abolition of the position or other material change in the duties of the organization, or for other reasons which are outside the employee's control, and which do not reflect discredit upon the service of the employee.

d. Death. If a NTMC employee dies, his/her designated beneficiary or estate will be paid all earned pay and payable benefits.

EXIT INTERVIEWS

NTMC usually provides separating employees with an exit interview prior to their last day of work. The purpose of the exit interview is to finalize all compensation due, return NTMC equipment, provide explanation of any continuing benefits, review employment history, discuss the reason(s) for the separation, and solicit constructive feedback to improve NTMC.

Final payment of compensation may be withheld pending return of NTMC property, completion of necessary paperwork, and other requirements of separation.

RETURN OF PROPERTY

Employees are responsible for all NTMC property, materials, or written information (i.e. handbooks) issued to them or in their possession or control. Employees must return all NTMC property immediately upon request or upon termination of employment. Where permitted by applicable laws, NTMC may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. NTMC may also take all action deemed appropriate to recover or protect its property.

SECTION 5 – SAFETY

SAFETY

To assist in providing a safe and healthful work environment for employees, customers, and visitors, NTMC has established a workplace safety program. This program is a top priority for NTMC. The General Manager, Operations Manager, Fleet Manager, Facilities Manager, Safety, Security & Training Manager, and Lead/Street Supervisors in the Operations Department, are each responsible for implementing, administering, monitoring, and evaluating the safety program for their respective departments. Its success depends on the alertness and personal commitment of all employees.

NTMC provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, intranet postings, memos, or other written communications. 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.

Employees 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. 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 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.

Employees are required to report any injury suffered during work hours, at the time of occurrence to their supervisor on the day of occurrence. In addition, the appropriate form(s) must be filled-out and submitted to the immediate supervisor before the end of the workday.

It is the responsibility of the employee to report any (off the job) personal moving violations to the company within forty-eight (48) hours.

The procedure to follow in the event of on-the-job-injury or incident:

1. Report the matter immediately to the appropriate supervisor.
2. Complete an accident report in detail.
3. If it is necessary to go to the doctor, appropriate paperwork must be filled out in the office of the Safety, Security, and Training Manager or General Manager.
4. Go to the company-designated doctor or hospital.
5. Return all paperwork from the doctor to the office of NTMC Human Resources, who will coordinate with the Safety, Security, and Training Manager
6. Do not return to work until fully released by the doctor.

For more detailed information regarding the Safety Rules & Regulations refer to the Employee Safety Handbook or speak with the General Manager.

DRUG AND ALCOHOL POLICY

It is the desire of NTMC to provide a drug-free, healthy, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory and safe manner. NTMC is committed to a drug-free and alcohol-free workplace for the safety of its employees, its passengers, and the public.

Consistent with federal regulations, 49 CFR part 40, 655, and the "Drug Free Workplace Act of 1988", as amended employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the workplace including company premises, company vehicles, while in uniform, or while on company business. Any drug or alcohol-related felony or misdemeanor, including arrest, indictment charge, conviction, receiving deferred adjudication, or plead nolo contendere, must be communicated to the employee's supervisor within five (5) calendar days of instance. Refer to the NTMC Drug and Alcohol Policy and Drug Free Work Place Policy for further clarification on company policy.

Illegal and Unauthorized Drugs and Alcohol Prohibition. While on NTMC premises, while on duty, while conducting NTMC related business or other activities off premises, while driving a NTMC owned or leased vehicle, or while operating or using other NTMC owned or leased property or equipment, no employee may use, possess, distribute, sell, or be under the influence of alcohol, inhalants, illegal drugs, including drugs which are legally obtainable but which were not legally obtained and prescribed or over-the-counter drugs which are not being used as prescribed or as intended by the manufacturer (except under the limited circumstances described below).

Illegal and Unauthorized Drug Related Paraphernalia Prohibition. This policy also prohibits the use, possession, distribution, and sale of drug related paraphernalia while on NTMC premises, while on duty, while conducting NTMC related business or other activities off premises, while driving a NTMC owned or leased vehicle, or while operating or using other NTMC owned or leased property or equipment. Drug related paraphernalia includes material and/or equipment designed for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing illegal or unauthorized drugs into the body.

Permissive Use of Prescribed and Over the Counter Drugs. The legal use of prescribed and over the counter drugs is permitted while on NTMC premises, while on duty, while conducting NTMC related business or other activities off premises, while driving a NTMC owned or leased vehicle or while operating or using other NTMC owned or leased property or equipment, only if it does not impair an employee's ability to perform the essential functions of the job (or operate the vehicle, property, or other equipment) effectively, and in a safe manner, that does not endanger the employee, citizens, or other individuals in the workplace. Examples of impairment include, but are not limited to, drowsiness, dizziness, confusion, or feeling shaky.

Use of Alcohol. The use of alcohol by a NTMC employee during a business lunch is prohibited, even though the person with whom the employee is having lunch may be consuming alcohol. At no time may an employee under the influence of alcohol drive a NTMC owned or leased vehicle, or operate or use other NTMC owned or leased property or equipment. Further, an employee on duty or conducting NTMC business, including NTMC related business entertainment, may not drive his or her own personal vehicle while under the influence of alcohol. No employee in his or her work-related capacity should ever be impaired because of the excessive use of alcohol. NTMC employees may not consume alcoholic beverages on NTMC premises, including parking lots adjacent to NTMC work areas, and may not store or transport alcohol in a NTMC owned or leased vehicle.

Mandatory Disclosure by Employees. Employees taking prescription medication and/or over the counter medication must report such use to either their supervisor or to NTMC Human Resources if there is a reasonable likelihood the medication will impair the employee's ability to perform the essential functions of his/her job (or operate a vehicle, property, or other equipment, if applicable) effectively, and in a safe manner, that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, drowsiness, dizziness, confusion, or feeling shaky.

Mandatory Reporting of Convictions. Employees must notify their immediate supervisor and NTMC Human Resources, in writing, of any criminal drug charges, conviction (including a plea of nolo contendere) or deferred adjudication, for a violation occurring off duty and/or in the workplace no later than five calendar days after the conviction.

Off Duty Conduct. NTMC may take disciplinary action, up to and including termination of employment, if an employee's off-duty use of or involvement with drugs or alcohol is damaging to NTMC's reputation or business, is inconsistent with the employee's job duties or when such off-duty use or involvement adversely affects the employee's job performance.

DRUG AND ALCOHOL TESTING

For purposes of this policy, reasonable suspicion is a belief based on articulable observations (e.g., observation of alcohol or drug use, apparent physical state of impairment, incoherent mental state, changes in personal behavior that are otherwise unexplainable, deteriorating work performance that is not attributable to other factors, a work related accident or injury, evidence of possession of substances or objects which appear to be illegal or unauthorized drugs or drug paraphernalia) sufficient to lead a supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Supervisors who refer an employee for reasonable suspicion testing must document the specific factors that support reasonable suspicion testing (e.g., the who, what, when, where of the employee's behavior and other symptoms, statements from other employees or third parties, and other evidence supporting the reasonable suspicion testing).

Types of Tests. Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, intoxilyzer, or other generally-accepted testing procedures.

Testing of Applicants. All applicants to whom a conditional offer of employment has been made will be required to submit to testing for alcohol and illegal and unauthorized drugs. A positive test result, refusal to test, or attempts to alter or tamper with a sample of any other part of the test, will render the applicant ineligible for consideration of employment or future employment with NTMC.

Testing of Employees. Employees may be tested for alcohol and/or illegal and unauthorized drugs after a workplace injury or accident or "near miss", when reasonable suspicion exists, or in connection with any required treatment or rehabilitation. Tests will be paid for by NTMC. To the extent possible, testing will normally be done during the employee's normal work time.

Employee Refusal to Test. A refusal means that an employee fails to provide a drug or alcohol testing sample as required by this policy. Examples of the behavior that constitutes a refusal to take a drug or alcohol test are listed in 49 CFR Part 40 as amended or 49 CFR 40.191 as amended for urine collections, and 49 CFO 40.261 as amended for breath tests. A copy of 49 CFR Part 40 is available upon request. A refusal to test is equivalent to a positive test result.

Violations of Policy. Any employee who refuses to be tested, or who attempts to alter or tamper with a sample, or any other part of the testing process, will be subject to disciplinary action, up to and including termination.

Test Results. A positive test result is a violation of NTMC's Drug and Alcohol Use Policy and may result in disciplinary action up to and including termination of employment. Any employee who is terminated for violation of NTMC's Drug and Alcohol Use Policy is ineligible for future employment with NTMC.

Testing Procedures. All testing must normally be authorized in advance by both the employee's supervisor and NTMC Human Resources. If the supervisor is unavailable within a reasonable period of time, NTMC Human Resources may, in his/her sole discretion, authorize the testing of an employee. If NTMC Human Resources is unavailable within a reasonable period of time, the supervisor may, in his/her sole discretion, authorize the testing of an employee. For reasonable suspicion testing, testing may not be authorized without the supervisor's documentation of the articulable factors which led him/her to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol. Testing should be arranged as soon as possible after the supervisor's articulable observations. Any time spent testing, waiting, or traveling to the testing center is compensable.

On-the-Job Accident. If an employee's conduct resulted in a work place accident, injury or "near miss", or reasonable suspicion exists to believe that the employee has violated the NTMC's Drug and Alcohol Use Policy, the employee will be provided with transportation to the testing facility. A supervisor or other designated NTMC representative may be required to stay with the employee during the testing process. NTMC may, in its discretion, reassign the employee or put him/her on administrative leave until the test results are received.

Test Administrator. NTMC will make arrangements to have the employee transported home after the testing. All substance abuse testing will be performed by an approved laboratory or healthcare provider chosen by NTMC. All positive test results will be subject to confirmation testing.

Confidentiality. Test results will be maintained in a confidential file separate and apart from the employee's personnel file. Any medical related information will be confidential and accessible only by NTMC Human Resources; supervisors and managers on a need to know basis, including those who have a need to know about necessary restrictions on the work or duties of an employee and any necessary accommodation; first aid and safety personnel when appropriate; government officials; insurance companies as may be necessary to provide health or life insurance to employees; by court order, or as otherwise legally mandated; and as necessary to protect the interests of NTMC.

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the misuse of alcohol and use of prohibited drugs. This policy is also intended to comply with all applicable federal regulations governing workplace anti-drug and alcohol programs in the transit industry.

HAZARD COMMUNICATION PROGRAM

One of the major goals of the Occupational Safety and Health Administration (OSHA) is to regulate industries to promote safe work practices in an effort to minimize the incidence of chemically-related employee illnesses and injuries. Relative to this goal, OSHA has enacted the Hazard Communication Standard, codified as 29 CFR 1910.1200. The purpose of the Hazard

Communication Standard is to establish uniform workplace requirements for the communication of hazards and hazardous chemical information to all potentially-exposed employees.

NTMC has implemented this written Hazard Communication Program to meet the letter and intent of the OSHA Hazard Communication Standard. The objective of this written program is to effectively disseminate pertinent data on the safe handling of hazardous chemicals in the workplace. In addition, the program will inform all appropriate personnel and outline their rights and responsibilities under the OSHA Hazard Communication Standard. This program will be available upon request to all employees and their designated representatives.

NTMC has taken the following steps in order to implement and effectively manage its Hazard Communication Program.

General Implementation Outline:

- Designate a company "Hazard Communication" Coordinator with responsibility for overall management of the Hazard Communication Program.
- Develop and maintain an up-to-date chemical inventory.
- Request copies of Material Safety Data Sheets (MSDS) from manufacturers and suppliers.
- Collect and distribute MSDS to all appropriate work areas.
- Institute a labeling system for containers or materials that require additional labels.
- Develop and implement an employee-training program to include classroom instruction with appropriate training materials and documentation.
- Set up a periodic review process to maintain an up-to-date inventory of hazardous chemicals.

WORKPLACE VIOLENCE PREVENTION

NTMC is committed to preventing workplace violence and to maintaining a safe work environment. NTMC has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of NTMC.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

Employees are encouraged to seek appropriate protective orders to protect themselves against threats in their personal lives. Human Resources will work with the employee, including offering unpaid time off to participate in legal proceedings in furtherance of protective orders. NTMC

encourages employees seeking protective orders against third parties to identify the NTMC facility as a covered, protected location on the protective order.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor.

NTMC will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, employees may be placed on administrative leave.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

After investigation, if no fault is found, employees may be compensated for lost time. Lost time calculated by the amount of hours the employee was scheduled to work and did not.

NTMC encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or NTMC Human Resources before the situation escalates into potential violence. NTMC is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities at NTMC, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. Visitors will be allowed in the shop area only when escorted by an authorized NTMC employee. If an unauthorized individual is observed on NTMC's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the main entrance.

SEARCHES

NTMC may conduct unannounced searches or inspections of the work site, including but not limited to NTMC property used by employees such as file cabinets, desks, offices, computer and electronic files, whether secured, unsecured, or secured by a lock provided by the employee.

Reasonable Suspicion. If reasonable suspicion exists, NTMC may also conduct unannounced searches or inspections of the employee's personal property located on NTMC premises, including vehicles parked on adjacent parking lots, and, if necessary, will involve the authorities. NOTE: NTMC's authority to conduct unannounced searches is not limited to situations involving reasonable suspicion of possession and/or use of drugs/alcohol.

Miscellaneous. All searches must be authorized and conducted under the direction of NTMC Human Resources upon approval of the General Manager. Employees who refuse to cooperate with a search may be subject to disciplinary action up to and including termination.

SECTION 6 – APPEARANCE

DRESS AND APPEARANCE

Personal Appearance. Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image NTMC presents to customers and visitors.

During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions. Employees who appear for work inappropriately dressed or out-of-uniform will be sent home and directed to return to work in proper attire. Under such circumstances, employees will not be compensated for the time away from work.

All employees must dress appropriately and professionally while at work, or while representing NTMC or clients. The administrative staff should wear, as a minimum, business casual wear. Jeans are permitted as part of business casual dress, but should not be tattered, worn, or dirty. Supervisors are responsible for enforcing the business casual dress policy in order to maintain acceptable appearance. For meetings or special events, business professional wear is required. Attire must always reflect a professional business attitude and presence. All positions that are subject to a uniform, must wear all prescribed uniform attire when on duty.

Each Friday is considered Casual Days, in which employees can wear company-related t-shirts (i.e. UNT/TWU gear) and athletic shoes.

Examples of inappropriate dress include, but are not limited to:

- a. Provocative or revealing attire
- b. Clothing with unclear or obscene messages, or that endorses alcohol, tobacco products, drugs, pornography, or offensive material of any kind;
- c. Ripped and tattered clothing;
- d. Visible tattoos which could be deemed offensive;
- e. Excessive facial jewelry.
- f. Sweatshirts or sweat pants are not acceptable unless a special casual wear or festive occasion is declared by management.

Hair. Hair styles and hair colors must be appropriate to the employee's position, and extremes of any type are unacceptable. Hair, including facial hair, must be clean and neatly groomed at all times.

Reasonable accommodations will be made for employees' religious beliefs consistent with the business necessity to present a conservative, professional appearance to the public. Supervisors and managers are responsible for interpreting and enforcing the dress code in their areas of responsibility. This includes counseling employees who are inappropriately dressed. Questions or complaints that cannot be handled to the employee's satisfaction by his or her supervisor or manager should be taken to NTMC Human Resources.

ITEMS WITH POLITICAL OR SOCIAL MESSAGES

Items having political or social messages may not be worn or displayed on personal, NTMC or DCTA equipment without prior approval by the General Manager. This provision is not intended to hinder employees' ability to lawfully exercise their rights under the National Labor Relations Act.

SECTION 7 – CODE OF CONDUCT

EMPLOYEE CONDUCT AND WORK RULES

To ensure orderly operations and provide the best possible work environment, NTMC 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 use of NTMC property or other property not belonging to the employee.
- Falsification of timekeeping or other records, including employment application.
- Working under the influence of alcohol or illegal drugs.
- Possession, distribution, sale, transfer, or the use of alcohol or illegal drugs in the workplace, while on duty or while operating NTMC-owned equipment.
- Violation of NTMC's policy regarding sexual or other unlawful harassment.
- Interfering with work schedules, or another employee's ability to work.
- Misuse of NTMC telephones, computers, mail systems, etc.
- Excessive or unscheduled absenteeism, tardiness in reporting for work or returning from lunch and breaks, or absence without notice and/or approval.
- Breaks in excess of the allotted time allowed.
- Violation of tobacco policy.
- Violation of safety or health rules, and failure to immediately report an on-the-job injury/accident.
- Profanity, abusive language, or racial slurs.
- Unauthorized disclosure of confidential information.
- Violation of NTMC or departmental policies, codes of conduct, rules, and procedures.
- Coercion, intimidation, or threats against citizens, supervisors, co-workers, NTMC officials, or others.
- Making or publishing false, vicious, or malicious statements about NTMC, a NTMC employee or citizen.
- Unsatisfactory performance or conduct.
- Inefficiency, incompetence, or neglect of duty.
- Fighting, provoking, or instigating a fight, or threatening violence.
- Disruptive activity in the workplace.
- Engaging in a work stoppage.
- Conduct which results in waste or damage of a co-worker's, NTMC, or citizen-owned property.
- Insubordination or other disrespectful or unprofessional conduct.
- Discourteous treatment of the public.
- Possession of weapons on NTMC time, NTMC premises, or while on NTMC business.
- Violation of local, state, or federal law.
- Conviction of a felony, including reasonable belief employee has committed a crime under Texas Penal Code or Class A or B misdemeanor, or repeated conviction of Class C misdemeanor charges.
- Failure to timely return to work upon conclusion of authorized leave, or disciplinary suspension.

- Outside employment that conflicts with, or potentially conflicts with, NTMC interests.
 - Employees are required to notify Human Resources if working any outside job.
- Acceptance of payment of any kind for activities related to NTMC employment.
- Failure or refusal to follow lawful orders.
- Sleeping on the job.
- Dishonesty, including misrepresentation during the hiring process.
- An accumulation of minor infractions.

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

BUSINESS ETHICS AND CONDUCT

The successful business operation and reputation of NTMC is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

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

NTMC will comply with all applicable laws and regulations and expects its 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 employees with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of actions, the matter should be discussed openly with your immediate supervisor or with his/her supervisor.

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

EMPLOYEE REQUIREMENT TO MEET COMPANY STANDARDS

The Company has the right to establish and require tests and standards of performance as necessary to insure the safe and efficient performance of duty by employees. Employees must pass any examinations and tests selected by the Company to determine mental and physical fitness.

Testing includes, but is not limited to, the provisions of the US Department of Transportation (DOT) and NTMC's drug and alcohol policies.

USE OF SERVICES

NTMC employees have certain privileges in regard to the services we offer. Employees and their families (dependents) can utilize the services at no cost. This access precludes Paratransit service. Employees and the members of their families each need to acquire a NTMC ID, and will be required to show NTMC ID when using the transit services. Dependents can use their

passes for mobility purposes only; and, if abused, the dependent pass can be revoked. Upon termination of employment, the employee, as well as his/her dependents' ID cards must be returned to the NTMC Human Resources department.

TRANSPORTING RELATIVES AND FRIENDS

Family members who have a Dependent Pass may ride for free. Family members without proper identification may not ride free or beyond a layover zone. Dependents can use their passes for mobility purposes only; and, if abused, the dependent pass can be revoked.

USE OF TELEPHONES / CELL PHONE USE POLICY

Business Telephone Etiquette. Personal use of the business telephone for long-distance and toll calls is not permitted. Employees should practice discretion when making local personal calls and may be required to reimburse NTMC for any charges resulting from their personal use of the telephone.

Cell Phones. While NTMC recognizes that many employees have cell phones they bring to work, the use of cell phones, including those with a camera, at work must not interfere with job duties or performance. Employees must not allow cell phone use to become disruptive or to interfere with their own, or a co-worker's, ability to do their jobs. Employees who use cell phones to violate NTMC policy, including NTMC's Sexual and Other Unlawful Harassment Policy, will be subject to disciplinary action, up to and including termination.

Prohibited Usage. Any employee operating a company vehicle are reminded that the use of cell phones while operating any NTMC vehicle is strictly prohibited. If a call or text must be answered immediately, the employee should pull to the side of the road and be completely stopped before responding to any call or text message, unless a hands-free device is being used. Failure to follow this policy may result in disciplinary action, up to and including termination.

SMOKING/TOBACCO USE POLICY

The use of tobacco products, including but not limited to cigarettes, e-cigarettes, chewing tobacco, and dip is prohibited on the NTMC premises, as well as in all DCTA owned buildings, facilities, and vehicles. Vaping of any kind is also prohibited on the NTMC premises, as well as in all DCTA owned buildings, facilities, and vehicles. Employees wishing to smoke, vape, or use any tobacco products may only do so more than twenty-five (25) feet of the entrance of the NTMC premises, or any DCTA building, facility, or vehicle. This policy is not intended to prohibit the safe and non-disruptive usage of tobacco or nicotine cessation products, so long as the product is legal, safe, smoke-less and does not emit an odor. This policy applies equally to all employees, customers, and visitors.

PROHIBITION OF HARASSMENT AND DISCRIMINATION

NTMC is committed to maintaining an atmosphere that is free of conduct considered to be harassing or abusive. Any form of harassment is prohibited. NTMC recognizes that discrimination of any type undermines the integrity of the employment relationship between employer and employee. Discrimination is absolutely inconsistent with the philosophy of the company and with sound management practice.

This policy applies to all NTMC employees during working time, at work related or sponsored functions, while on company property, and while traveling on work related business. NTMC will also do all that it can to ensure that all individuals associated either directly or indirectly with

NTMC including all staff, contractors, visitors, or any other individuals on the company premises comply with this policy.

Definitions

- **“Discrimination”** is the treatment or consideration of, or making a distinction in favor or against, a person or thing because of the employee(s)’ protected status, in connection with employment-related decisions and/or actions.
- **“Protected status”** includes sex, color, race, religion, national origin, age, physical or mental disability, sexual orientation, citizenship, veteran’s status, genetic information or any other characteristic protected by federal, state or local laws.
- **“Harassment”** is defined as unwelcome conduct, whether verbal, visual or physical, which unreasonably interferes with the individual’s work performance or creates an intimidating, offensive or hostile working environment.

Examples of harassment include, but are not limited to:

- Epithets, derogatory comments, unusual comments about appearance or dress, racial slurs or comments, or offensive or derogatory ethnic jokes, or unwanted sexual advances, invitations, or comments;
 - Derogatory posters, cartoons, drawings or gestures; or
 - Assault, physically blocking normal movement of employee or interference with an employee’s work because of their sex or other protected status, or general bullying of other employees.
- **“Sexual Harassment”** is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:
 - Unwanted sexual advances.
 - Offering employment benefits in exchange for sexual favors.
 - Making or threatening reprisals after a negative response to sexual advances.
 - Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
 - Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
 - Verbal sexual advances or propositions.
 - Verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
 - Certain physical conduct that includes touching, assaulting, or impeding or blocking movements.

Complaint Procedure

Reporting violations. Under no circumstances will an employee be penalized for presenting in good faith a complaint of discrimination or harassment. Accordingly, if you believe that you have been harassed (sexually or otherwise) or discriminated against, or if you have seen other employees harassed (sexually or otherwise) or witness discrimination, it is your responsibility to immediately report the harassment or discrimination – regardless of the position held by the person engaging in the harassing or discriminatory conduct – to Human Resources. Please note that you are **not** required to raise the issue with your supervisor first, instead you may go directly to Human Resources. If you are more comfortable bringing your complaint or raising your concerns arising under this policy to your supervisor or manager, your supervisor or manager will properly escalate the complaint or concerns to ensure the complaint is handled appropriately.

Investigations and Safeguards. Complaints of a violation(s) of this policy will be promptly and carefully investigated, including interviews with all relevant persons. Investigators will conduct an objective investigation with consideration given to each employee's desire for privacy. Only individuals with a legitimate "need to know" will be given any information regarding the complaint(s) and/or the investigation.

Discipline and Remedial Actions. If the investigation confirms a violation of this policy, prompt remedial action will be taken to stop the harassing or discriminatory conduct and prevent it from reoccurring. Remedial action may consist of disciplinary action against the violator of this policy, up to and including termination in accordance to the corresponding rules and applicable regulations. NTMC will also take other remedial action, as appropriate, to remedy the effects of harassment or discrimination and ensure a safe and productive working environment for all employees.

Retaliation. Retaliation against an employee for reporting harassment or discrimination or for providing information regarding harassment or discrimination, including participation in a harassment or discrimination investigation, will not be tolerated. Anyone who engages in retaliation is in violation of this policy and will be disciplined accordingly, up to and including termination. Complaints of retaliation are subject to the same reporting, investigation, disciplinary and remedial action as complaints of harassment or discrimination.

Employees who have experienced conduct they believe is contrary to this policy have an obligation to take advantage of this complaint procedure. An employee's failure to fulfill this obligation may affect his or her rights in pursuing legal action.

WEAPONS IN THE WORKPLACE

NTMC strives to provide a safe and secure workplace for employees, clients, customers and visitors. The company has zero tolerance for, and forbids the possession of any type of weapon, firearm, explosive and/or ammunition while on company property or conducting company business. For purposes of this policy, company property includes, but is not limited to,

all company facilities, company-provided vehicles and equipment that is either leased or owned by the company or a company client.

Possession of firearms or other weapons may be cause for discipline, including, but not limited to, immediate termination of employment. In enforcing this policy, NTMC reserves the right to request inspections of any employee and their personal effects while on company property, to the extent allowable under applicable law. Any employee who refuses to allow an inspection will be subject to the same disciplinary action as having been found in possession of firearms or other weapons.

In the event an employee lawfully possesses a firearm, the employee can store the firearm in the employee's personal vehicle while on company-provided parking areas; however, the firearm must be stored in the employee's locked vehicle (or locked to the vehicle) and hidden from plain view.

Employees share the responsibility of identifying violators of this policy. If you either witness or suspect another individual of violating this policy you should immediately report this information to their supervisor.

THEFT (EMPLOYEE)

NTMC has a zero-tolerance policy in regard to stealing. NTMC shall investigate suspected theft, and all employees have a duty to cooperate in NTMC's investigation in good faith.

OUTSIDE EMPLOYMENT

Employment with NTMC will take precedence over any other employment. Employees are required to notify Human Resources if working any outside job, in order to ensure continued compliance with DOT regulations. If a conflict occurs between an employee's employment with NTMC, the employee will be required to terminate one job or the other.

DUTY TO PROTECT DCTA AND CLIENT PROPERTY

It is the duty of every employee to protect DCTA and client property, unless doing so puts the employee at risk of harm. Acts of vandalism must be reported. Employees must properly store equipment at outside locations. Employees must exercise care in the operation and use of DCTA and client equipment. All incidents involving damage to DCTA or client property must be reported to a supervisor.

SOLICITING MONEY, PUBLIC SUPPORT, OR PERSONAL INFORMATION FROM PASSENGERS

The solicitation of money or public support from passengers while on duty or on DCTA or client property is not permitted without proper authorization. Operators may not permit anyone to solicit from or otherwise disturb passengers. Unauthorized materials are not to be distributed or displayed on DCTA or client property or vehicles. Making lewd or suggestive remarks to passengers or soliciting addresses and telephone numbers is prohibited.

CUSTOMER RELATIONS

Employees must address all customers, including passengers, in a friendly tone. They must be helpful and considerate when giving information or calling streets. An employee must never embarrass a fellow employee or passenger by talking in a loud tone of voice or arguing. Maintaining cordial customer relations with each customer is expected of all employees.

GIFTS

NTMC strives to treat employees, citizens, and individuals conducting business with NTMC in a fair and equitable manner. An employee (and his/her relative and significant others) may not

receive any income or other material gain from anyone outside NTMC for services provided by the employee in the performance of his/her job with NTMC. Individual NTMC employees are prohibited from soliciting, accepting, or agreeing to accept any gift, gratuity, favor, benefit, or anything else of value from any person, organization, or other entity who has done business, is doing business, or seek to do business with NTMC.

Acceptable Gifts. However, an employee who accepts the following will not be in violation of this policy:

- a. An award publicly presented in recognition of public service
- b. An occasional meal where public business is discussed not to exceed \$25.00
- c. T-shirts, caps, and other similar promotional material not to exceed \$25.00
- d. Any gift not to exceed \$25.00, which would have been offered or given to the employee even if the employee were not a NTMC employee.
- e. A gift or gratuity extended to the entire NTMC or specific department and approved by the General Manager or a NTMC Officer.

Coupons. Routine food coupons, frequent flier awards, discounts, and other promotional items awarded to employees while carrying out NTMC business may be accepted by employees and will not be considered a violation of this policy due to the administrative difficulty and cost involved in recapturing the discount or award for NTMC. If the item is non-routine, or of more than minimal value, the employee must check with his/her supervisor to see if the item should be returned, or, in the alternative, turned over to NTMC.

Limitations. Employees may not give their supervisor, or anyone else in NTMC management, any gift or other item of more than a minimal value. If offered, supervisors may not accept such gifts or other items. Giving and accepting cards, food items (such as cakes and cookies) or token gifts for birthdays, Bosses' Day, holiday celebrations, bereavement, or similar events is not a violation of this policy.

Administration. NTMC takes this policy very seriously, and violations may result in disciplinary action, up to and including termination of employment. Any questions regarding the prohibitions imposed by this policy generally, or in connection with a specific situation, should be directed to NTMC Human Resources.

SECTION 8 – GENERAL PERSONNEL POLICIES & PROCEDURES

PERSONNEL DATA CHANGES

Each employee must promptly notify NTMC of any changes in personnel data within forty-eight (48) hours of the change. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishment and other such status reports should be accurate and current at all times. If any personnel data has changed, notify Human Resource.

ACCESS TO PERSONNEL FILES

All employees may view contents of their personnel file with advance notice to NTMC Human Resources staff. Documents that relate to the employee's qualifications for hire such as the application, promotion, disciplinary action, and transfer may be viewed. Additionally, the employee may review policy signoff forms and training records.

Documents that the representatives of employees may not review include: references or reference checks, medical records, documents related to a judicial proceeding, and any document that would violate the confidentiality of another employee. Any document which could include the names or information relating to third parties would not be viewable due to privacy issues.

An employee who wants to review contents of their personnel file should contact NTMC Human Resources staff with twenty-four (24) hours' notice.

Personnel files must be reviewed in the presence of a NTMC Human Resources staff person. No part of the personnel file may be removed from the office by the employee.

If the employee is unhappy with a document in his or her personnel file, in the presence of the NTMC Human Resources staff, the employee may write an explanation or clarification and attach it to the disputed document.

ACCESS TO PREMISES POLICY

The North Texas Mobility Corporation (NTMC) and Denton County Transportation Authority (DCTA) prioritizes the safety and well-being of its employees and the communities it serves. Because DCTA has been entrusted to provide safe and time-sensitive services to the public, it is imperative that DCTA maintain a safe and productive working environment. To that end, this policy establishes rules for controlling physical access to DCTA's facility. This policy applies to all DCTA employees, contractors, visitors, and members of the public.

Policy. DCTA prohibits unauthorized individuals from entering Secure Areas of all DCTA facilities, including the bus/rail yard(s), maintenance bays, railroad tracks, administrative facilities (other than public reception areas and community/board rooms) and areas requiring card, fingerprint, or key code access. From time to time, access to Secure Areas may not be completely secure due to business necessity or malfunction. All such areas shall remain restricted-access Secure Areas at all times.

Only on-duty employees who have a legitimate business reason may enter Secure Areas of DCTA's premises. On duty employees are expected to remain in their assigned work area unless otherwise instructed or authorized by a supervisor.

Non-employees are not permitted inside Secure Areas of the facility. Employees are not permitted to bring visitors in Secure Areas unless given authorization to do so. Authorized visitors must always be accompanied by an on-duty employee while inside Secure Areas.

Off-duty employees, visitors, and other non-employees are permitted in public reception areas, community/board rooms, public parking lots, and other non-secure areas designated for public access. All individuals on DCTA's premises are expected to conduct themselves in a safe manner which does not disrupt DCTA operations at any time.

Enforcement. Any employee found to have violated this policy or engaged in conduct that indirectly causes a violation of this policy shall be subject to discipline up to and including discharge.

SOLICITATION

In an effort to ensure a productive and harmonious work environment, persons not employed by NTMC may not solicit or distribute literature in the workplace at any time for any purpose.

NTMC recognizes that employees may have interests in events and organizations outside the workplace. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.) Outside solicitation is prohibited.

Posting of written solicitations on the company bulletin boards or intranet is restricted. These both display important information, and employees should consult them frequently for:

- * Employee announcements
- * Internal memoranda
- * Job openings
- * Organization announcements
- * Payday notice
- * Workers' compensation insurance information
- * Unemployment insurance information

If employees have a message of interest to the workplace, they may submit it to the General Manager for approval. All approved messages will be posted by the General Manager.

EMPLOYEE RESPONSIBILITY FOR ISSUED PROPERTY

Employees are personally responsible for all Company property issued to them. Issued property that is lost or stolen must be reported immediately to a supervisor. Damaged or lost articles may be charged to the employee upon replacement. When leaving NTMC's employ, or at the request of a supervisor, employees must immediately surrender all Company property in their possession. NTMC may choose to pursue collection of funds for any times not surrendered as required.

USE OF COMPANY EQUIPMENT AND VEHICLES

When using property, employees are expected to exercise care, perform required maintenance, including pre- and post-trip inspections, and follow all operating instructions, safety standards, and guidelines. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, up to and including termination of employment. The use of the staff vehicle or any other NTMC/DCTA vehicle for any personal use is strictly prohibited.

Anyone who operates a DCTA vehicle must have a current and valid Texas Drivers' License in their possession with proper classification and endorsement. All employees who hold safety sensitive positions must also have in their possessions a valid Medical Examiners Certificate, where required by job designation.

OBSERVING STATE, COUNTY, AND CITY LAWS AND ORDINANCES

The operation of transit vehicles is regulated by various agencies. When necessary, employees must follow the rules and regulations of the Highway Patrol, the State, and the Counties and Cities through which the service operates.

Employees are required to cooperate with law enforcement agencies and fire departments at all times. In the event such cooperation creates a dangerous condition, a supervisor is to be notified immediately.

OPERATING A COMPANY OWNED OR CONTROLLED VEHICLE WHILE ILL OR FATIGUED

Employees must not operate a company-owned vehicle when their ability and alertness is impaired because of fatigue, illness or any other cause to create a safety hazard. Employees who believe they are suffering from fatigue, illness, or any other condition that could pose a safety hazard should notify their supervisor and Human Resources immediately.

USE OF NTMC EQUIPMENT AND VEHICLES

When using property, employees are expected to exercise care, follow all operating instructions, safety standards, laws, and guidelines. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles can result in disciplinary action, up to and including termination of employment. The use of the staff vehicle or any other NTMC/DCTA vehicle for any personal use is strictly prohibited.

Anyone who operates a company vehicle must have a current and valid Texas Drivers' License in their possession with proper classification and endorsement. All employees who hold safety sensitive positions must also have in their possessions a valid Medical Examiners Certificate.

Issuance of Property. NTMC may issue various equipment or other property to employees (e.g., credit cards, keys, computers, and computer-related equipment). Employees are responsible for items formally issued to them by NTMC, as well as for items otherwise in their possession or control, or used by them in the performance of their duties. At the time of issuance, employees may be required to sign certain forms, or other documentation, evidencing their receipt of property and/or equipment, and authorizing a payroll deduction for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, NTMC may take any other action it deems appropriate or necessary to recover and/or protect its property.

Damage of Property. Employees must notify their supervisor immediately if any vehicle, equipment, machine, tool, etc. appears to be damaged or defective, or in need of repair. The appropriate supervisor can answer questions about an employee's responsibility for maintenance and care of equipment used on the job. The improper, careless, negligent, destructive, or unsafe use or operation of equipment will likely result in disciplinary action, up to and including termination of employment.

Personal Use Prohibited. NTMC property, materials, supplies, tools, equipment, or vehicles may not be used for personal business.

VALID DRIVER'S LICENSE

NTMC requires that every employee who operates a company owned or leased vehicle, or who drives a privately-owned vehicle while carrying out job duties, must maintain a current valid Texas driver's license, and an acceptable driving record as determined by NTMC. NTMC may, at any time, check the driving record of a NTMC employee who drives as part of his/her job duties to determine that he/she maintains the necessary qualifications as a NTMC driver. Employees agree that they will cooperate in giving NTMC whatever authorization is required for this purpose.

New Hire. Driving records will be checked prior to employment, and periodically throughout the course of employment. Applicants and employees are required to provide NTMC with any authorizations necessary for NTMC to perform such a check. More than three (3) moving traffic violations in a twelve (12) month period is considered excessive, and may result in failure to hire in the case of prospective employees.

Endorsements. When a special classification of driver's license is required to operate NTMC equipment, it is the employee's responsibility to maintain the required license.

VEHICLE ACCIDENTS AND INCIDENTS

All accidents, possible claims of accidents, damage to equipment, injury and possible injury must be reported on an accident form. Unless physically disabled due to accident injury, a complete and accurate accident form must be submitted on the day of occurrence within one hour after completion of shift.

All accidents must be reported to management immediately. Employees who fail to immediately report an accident may be subject to disciplinary action up to and including discharge.

Employees should, when requested, provide transit supervisory personnel any additional accident information immediately upon request. Employees must not make any statements to anyone except the police and/or company officials. Employees must use an Incident Report to note equipment defect(s) that may have contributed to an accident.

SITUATIONS NOT COVERED BY DEFINED PROCEDURES

Whenever situations arise that are not covered by defined procedures, employees must use their best judgment. Such instances include obstructions caused by serious accidents, hazardous conditions or emergencies. In these circumstances, the employee must report the situation to his/her supervisor immediately.

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 NTMC 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 NTMC Human Resources for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee can influence a decision that may result in a personal gain for that employee or for a relative as a result of NTMC's 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 like 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 a manager of NTMC 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 NTMC does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration because of any transaction or business dealings involving NTMC.

FRAUD

The purpose of this policy is to protect the assets and interests of NTMC, increase overall fraud awareness, provide a mechanism for employees to voice concerns, and to ensure a coordinated approach for responding to allegations or suspicions of fraud or irregularity.

Policy. The NTMC is committed to protecting its revenue, property, information, and other assets from any attempt, either by members of the public, contractors, vendors, volunteers, or its own employees, to gain by fraud or deceit, financial or other benefits. It is everyone's responsibility to report any possible fraudulent activity or irregularity. The NTMC will make every reasonable effort to identify and promptly investigate all instances of known or alleged instances of fraudulent activities or other fiscal irregularities. The NTMC will take appropriate disciplinary and/or legal actions against employees or others, including the possibility of termination of employment, restitution, and making information available to the appropriate authorities for criminal prosecution. Fraud will not be tolerated and will be appropriately dealt with regardless of the individual's past performance, position held, length of service, or relation.

Policy Applicable To. This policy and procedure shall apply to all NTMC employees (full-time and part-time), temporary/seasonal personnel, and volunteers.

Authority. This policy is authorized by the NTMC Officers and General Manager, and adopted by the NTMC Board of Directors.

Definition of Fraud. Fraud generally involves a willful or deliberate act with the intention of obtaining unauthorized benefits, such as money or property, by deception or other unethical means. Dishonest or fraudulent activities include, but are not limited to, the following:

- a. Forgery or alteration of documents. (Checks, timesheets, contractor agreements, purchase orders, securities, etc.)
- b. Misrepresentation of information on documents.
- c. Misappropriation of funds, securities, supplies, furniture, fixtures, and equipment, or any other asset.
- d. Authorizing or receiving payment for goods not received or services not performed.
- e. Authorizing or receiving payments for hours not worked with the exception of those allowed under NTMC policy.
- f. Unauthorized use or misuse of NTMC property, equipment, materials records.
- g. Improprieties in the handling or reporting of financial transactions.
- h. Theft or destruction of any asset.
- i. Embezzlement.

- j. Seeking or accepting anything of material value from vendors, consultants, or contractors doing business with the NTMC in violation of the NTMC's policy.
- k. Any claim for reimbursement of expenses that are not made for the exclusive benefit of the NTMC.
- l. Any computer-related activity involving the alteration, destruction, forgery, sale, or manipulation or misappropriation/misuse of data for fraudulent purposes.
- m. Intentional misstatement and other irregularities of NTMC records, including intentional misstatement of the NTMC's financial statements, and reports.
- n. Any violation of Federal, State, or local laws related to dishonest activities or fraud.
- o. Any similar or related activity/irregularity.

Management Responsibility. Management is responsible for detecting fraudulent or related dishonest activities in their areas of responsibilities. The General Manager and supervisors should be familiar with the risks and exposures inherent in their areas of responsibility.

Level of Suspicion. Each level of supervision should be alert for any indication of improper activity, misappropriation or dishonest activity that is or was in existence in his/her area. When an improper activity is detected or suspected, management should determine whether an error or mistake has occurred or if there may be dishonest or fraudulent activity.

Measures to Minimize the Risk of Fraud. In order to maintain the NTMC's high standards, procedures and controls have been and will be established to minimize the opportunity for fraud. These procedures and controls help the NTMC function in a manner that is beyond reproach. They establish the rules by which all employees, appointed officials, and volunteers must function and are supported, as necessary, by detailed procedures. It is the responsibility of the General Manager and supervisors to ensure that the standards are communicated to, and are known by, their employees, and those internal systems and procedures function as designed.

Appropriate procedures such as the following need to be implemented to ensure:

- a. Proper authorization levels and approvals.
- b. An adequate separation of duties.
- c. Independent monitoring, review, and approval of data and/or documentation.
- d. An adequate level of supervision.

Audit. An annual audit of NTMC is conducted by an outside audit firm. The firm will perform various tests and analyses of selected transactions to ascertain the reliability of financial information and to monitor for compliance with NTMC policies, applicable regulations and laws, and undertakes checks to detect opportunities for fraud and irregularities.

REPORTING PROCEDURES

Employee Responsibilities. When suspected fraudulent incidents or practices are observed by, or made known, to an employee, the following steps should be taken:

1. The incident or practice must be reported to the Operations Manager. If an employee believes the Operations Manager may be involved in the inappropriate activity, the employee shall make the report directly to the General Manager.
2. The General Manager will promptly notify NTMC Human Resources and NTMC Officers, if applicable.
3. If the employee believes the General Manager is involved, the employee shall contact the NTMC Officers.
4. The reporting employee shall refrain from further investigation of the incident, will not confront the suspected alleged violator, or further discuss the incident with anyone

unless requested to by the investigative team appointed by the General Manager, or law enforcement personnel, whichever is conducting the investigation.

5. Employees who knowingly make false allegations will be subject to discipline, up to and including termination.

6. Employees may also submit suspected fraudulent/dishonest activities and irregularities confidentially by mail (or other means of delivery) to the NTMC Officers at 1955 Lakeway Drive, Suite 260, Lewisville, Texas 75057

- Mark on the lower left corner of the envelope "Private and Confidential". Envelopes so marked shall be forwarded to the NTMC Officer or NTMC President unopened. Protection of confidentiality may hinder the completion of the investigation.

Management Responsibilities.

1. Upon notification by an employee of suspected fraud, or if the Operations Manager has reason to suspect that fraud has occurred, they will immediately notify the General Manager.
2. When the supervisors or Operations Manager believes the General Manager may be involved in the inappropriate activity, they will make the report directly to the NTMC's President.
3. Unless requested, the Operations Manager should not contact the suspected individual(s) to determine the facts or demand restitution.
4. The case, facts, suspicions, or allegations should not be discussed with anyone, unless specifically directed to by the investigation team appointed by the General Manager, NTMC Officer, or law enforcement personnel.
5. All inquiries from the suspected individual should be directed to the General Manager or NTMC Officer..
6. Great care must be taken in dealing with suspected dishonest, or fraudulent activities to avoid the following:
 - Incorrect accusations
 - Alerting suspected individuals that an investigation is underway
 - Treating employees unfairly
 - Making statements that could lead to claims of false accusations, or other offenses
 - Violating any person's right to due process

Steps for Investigation.

1. The General Manager or NTMC Officer will investigate situations involving possible fraud, or related dishonest or irregular activities.
2. After initial review, and determination that the suspected fraud warrants additional investigation, the General Manager may form an investigative team to investigate any alleged acts of fraud or related activities, as deemed necessary.
3. If it's determined that illegal/criminal activity has occurred, the case will be turned over to the appropriate law enforcement agency to conduct the investigation and take necessary action.
4. If warranted, NTMC shall take immediate action to prevent the theft, alteration, or destruction of relevant records. Such actions may include, but are not limited to, removing the records and placing them in a secure location, limiting access to the records and/or preventing the individual suspected of committing the alleged fraud from having access to the records, or placing them on leave if appropriate.

5. If warranted, a prompt investigation will be conducted to include detailed analysis. The designated members of the investigative team will have:

- i. Free and unrestricted access to all NTMC records and premises, whether owned or rented, that are deemed pertinent to a complete and accurate investigation.
- ii. The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities (whether in electronic form or other) without the prior knowledge or consent of any individual who might use, or have custody of, any items or facilities when it is within the scope of investigative, or related follow-up procedures. There is no assumption of privacy.
- iii. If deemed appropriate, NTMC may engage, at NTMC's expense, independent advisors or consultants to assist in the investigative process.
- iv. All participants in an investigation shall keep the details and results of the investigation confidential.
- v. Employees should be aware that, if a suspicion is reported and results in a prosecution or disciplinary action/hearing, they might be called upon as a witness in those processes, unless other substantial reliable evidence is available. The anonymity of the employee making the allegation shall be maintained until the employee indicates in writing they do not wish to remain anonymous.

Findings. The NTMC General Manager will inform the NTMC Officers of the reported allegation of fraudulent or irregular activities. Throughout the investigation, the NTMC Officers will be advised of its status through the General Manager. If evidence is uncovered showing possible fraudulent activities:

1. The General Manager will discuss the findings with the NTMC Officers.
2. The General Manager will advise the affected supervisor and NTMC Human Resources, if the case involves staff members, to determine if disciplinary actions should be taken.
3. The NTMC Officers will be notified of all findings.
4. Based on the investigation and outcome, the investigative team will issue a report on the adequacy of internal controls and make recommendations for improvements.
5. The General Manager and NTMC Treasurer will report to the external auditors of the NTMC all information relating to investigations.

Personnel Actions. If a suspicion of fraud is substantiated by the investigation, the General Manager or designee shall take disciplinary action, up to and including termination in consultation with the NTMC Officers, and in conformance with the NTMC's Employee Policy Manual. Action may also include prosecution and/or restitution.

If the situation warrants immediate action – for example, an obvious theft has taken place, security is at risk, etc. then immediate action may be taken by the General Manager or designee in consultation with the NTMC Officers, and in conformance with the NTMC's Employee Policy Manual.

Unless special circumstances exist, a person under investigation for fraud shall be given notice of the essential particulars of the allegations following the conclusion of the investigation, and prior to final disciplinary action being taken.

Completion of Investigation. Upon completion of the investigation, including all legal and personnel actions, any records, documents, and other evidentiary material will be returned to the appropriate department.

Contacts/Media Inquiries. Any staff person, appointed official, or volunteer contacted by the media with respect to an investigation shall refer the media to the NTMC Officers. The alleged fraud or investigation shall not be discussed with the media by any other person, unless directed to by the NTMC Officers, whichever is deemed most appropriate in preparing statements in response to media requests.

Retention of Records. Records pertaining to the suspected fraud and investigation are the property of NTMC and shall be retained in compliance with applicable laws and appropriate document retention policies.

Non-Fraud Irregularities. Identification or allegations of acts outside the scope of this policy, such as personal improprieties or irregularities, whether behavioral, safety, or work environment related, or complaints of discrimination or sexual harassment, should be resolved by the respective area management in conjunction with the General Manager and/or reference to any other existing NTMC policies.

Enforcement. All questions or other clarifications of this policy and its related responsibilities should be addressed to the General Manager, who shall be responsible for the administration, revision, interpretation, and application of this policy.

MANAGEMENT AUTHORITY

General and final authority for personnel administration rests with the General Manager and NTMC Officers, with the exception of matters reserved to the Board of Directors by State law.

NTMC may modify, revoke, suspend, interpret, terminate, or change any or all of its policies and procedures, in whole or in part, at any time. The issuance of these policies and procedures does not constitute a contract between NTMC and its employees for any duration of employment.

i. Departmental Policy and Procedural Requirements. Individual NTMC departments may develop policies and procedures that are consistent with NTMC policies and procedures contained herein. Departmental policies and procedures will not become effective unless they have been reviewed and approved in accordance with this guide.

ii. Miscellaneous. Policies and procedures apply to all employees of NTMC, both on and off duty where applicable, unless otherwise indicated, restricted by proper authority, or prohibited by State and/or Federal law.

iii. General Manager's Authorization. Any conflicts, questions, or ambiguities in NTMC or departmental policies and procedures will be decided by the General Manager. The General Manager may delegate rights and powers granted under these policies and procedures.

BUSINESS TRAVEL EXPENSES

NTMC will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the General Manager. Employees whose travel plans have been approved should make all travel arrangements through the NTMC designated representative. All travel must comply with DCTA travel procedures. Please contact your supervisor or NTMC Human Resources for questions about the current travel policy.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

MEDIA INQUIRY POLICY

Purpose. Responding accurately and appropriately to media inquiries involving developing events can be vital to the success of NTMC (“the corporation”), NTMC contractors and the services it provides. Providing such accurate and appropriate responses to media inquiries often demands that only a prepared spokesperson comments on behalf of NTMC and NTMC contractors. Further, because NTMC provides services that require the public trust, it is imperative that only accurate information be disseminated by NTMC employees, contractors and representatives.

Coverage. This policy applies to all NTMC employees (including temporary employees), contractors, representatives and agents.

Policy. Only designated spokespersons for NTMC and NTMC contractors are permitted to respond to media inquiries on behalf of the corporation. Employees are prohibited from providing any statement or comment to the media for or on behalf of NTMC or NTMC contractors, unless they are given express authorization to speak to the media on behalf of the corporation. Should an employee be contacted by the media, the employee should promptly notify the NTMC General Manager.

NTMC discourages employees from discussing NTMC operations, customers or their employment with the media; any and all issues or concerns regarding NTMC, NTMC contractors or the terms and conditions of employment should be addressed through established internal procedures. Additionally, employees should be mindful of the rights and safety of fellow NTMC employees and members of the communities we serve.

Enforcement. Employees who speak on behalf of NTMC or NTMC contractors to the media, without express authorization to do so, shall be subject to discipline up to and including discharge.

An employee who provides false information or makes malicious statements to the media regarding NTMC, NTMC contractors or NTMC’s services, operations, customers, or employees, even when doing so on their own behalf, may be subject to discipline up to and including discharge.

Nothing contained herein is intended to infringe on employees’ federal rights under Section 7 of the National Labor Relations Act.

EMPLOYEE SOCIAL MEDIA POLICY

Purpose. As a vital community resource, NTMC and its contractors and services are discussed every day in online conversations. NTMC wishes to ensure these discussions are accurate and promote a safe and productive working environment. As such, this policy has been developed to provide guidelines to employees about their use of social media as it relates to NTMC and NTMC contractors.

Definition. For purposes of this policy, “social media” shall mean official NTMC and NTMC contractor websites and all forms of online community activities such as online social networks (e.g. Facebook), professional networking websites (e.g. LinkedIn), message

boards (e.g. Twitter), video and photo sharing (e.g. YouTube, Pinterest and Instagram), blogs, Wikis, chat rooms, and online forums.

Coverage. This policy applies to all NTMC employees (including temporary employees), contractors, representatives, and agents.

Policy. NTMC takes no position on an employee's decision to participate in social networking activities such as Facebook, Twitter, Instagram, Pinterest, YouTube, LinkedIn, personal blog, etc. However, certain activities on the part of employees can be grounds for disciplinary action if they have the effect of impairing the work of any employee; harassing, demeaning, or threatening another employee; threatening harm to NTMC, NTMC contractors, NTMC property or NTMC contractor's property; creating a hostile work environment; disrupting orderly operations; disrupting the flow of work; interfering with NTMC's right to maintain discipline and order in the workplace; interfering with a workplace investigation; or harming the goodwill and reputation of NTMC and NTMC contractors.

In the area of social media, employees may use such media in any way they choose as long as such use does not produce the adverse consequences noted above. For this reason, NTMC reminds its employees that the following guidelines apply in their use of social media, both on and off duty:

- Employees must use NTMC technological resources primarily for company purposes. Incidental use of any technological resources, including social media, to transmit personal messages and information will be treated no differently than other messages and information and may be accessed, reviewed, copied, or disclosed by NTMC.
- NTMC reserves the right to monitor employee use of social media sites accessed on agency equipment. Users should have no expectation of privacy or confidentiality when using these resources.

Social Media Usage on Behalf of the Corporation. Official NTMC and NTMC contractor social media sites and programs are to be established, managed, and updated by identified personnel under the direction of the Vice President of NTMC. NTMC employees may not create or manage a social media site for the purposes of communicating NTMC or NTMC contractor information to the news media, riders, general public, or an external or internal audience.

Employees approved to represent NTMC and NTMC contractors online must adhere to NTMC's social media guidelines outlined within the social media policy document.

Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees must refer all such requests to NTMC's General Manager. Although NTMC limits who can represent the corporation online via NTMC's and NTMC contractor's official social media accounts, everyone working for NTMC should consider themselves a representative of NTMC and NTMC contractors within the community.

Personal Social Media Use. Employees are not permitted to engage in personal use of social media during work time. During breaks or while waiting to be engaged to work, employees are permitted to use social media in accordance with this policy.

Employees who use social media in their time off, is a reflection on the employee and on NTMC or NTMC contractors. Therefore, NTMC encourages employees' behavior online, even when off duty or not working, to be consistent with NTMC's core values and social media guidelines.

Employees engaging on personal social media platforms that mention NTMC or NTMC contractors in their posts, images, etc. are subject to following guidelines:

- Employees are prohibited from harassing, threatening, coercing, bullying, or demeaning another employee;
- Employees are prohibited from providing dishonest or misleading information about NTMC, NTMC employee(s), NTMC services, and NTMC contractors;
- Employees are prohibited from threatening harm to NTMC, NTMC contractors, NTMC property, and NTMC contractor's property;
- Employees are prohibited from using social media while in work time or in a manner that would pose a safety risk to other employees, NTMC property, or a member of the public;
- Employees are prohibited from misleading the public to believe their personal beliefs or opinions are the official position of NTMC or NTMC contractors;
- Employees are not permitted to publish, post or release any information that is considered confidential or non-public. If there are questions about what is considered confidential, employees should check with the NTMC Human Resources Department and/or their supervisor.
- Employees are prohibited from using the following in social media or for any commercial use without NTMC's prior consent:
 - a. NTMC and NTMC contractor logos;
 - b. Pictures taken in non-public areas, secure areas, or security sensitive areas;
 - c. Pictures of any activity, facility, vehicle, or equipment that contains security sensitive information.

Employees contributing commentary to a blog or other social media site who identify themselves as an NTMC employee or NTMC contractor are asked to provide a clear disclaimer that the views expressed are the author's alone, and do not represent the views of NTMC or NTMC contractors. Information that is published on such personal online sites should never be attributed to NTMC or NTMC contractors and should not appear to be endorsed by or originated from NTMC or NTMC contractors.

Employees should be mindful that connections made with other NTMC employees on personal social networking sites may have an impact on working relationships, whether or not an individual chooses to associate their employment with NTMC in their personal online networking activity. Further, employees should be advised that their social media posts are considered official statements of the employee, which may be used in connection with official NTMC and NTMC contractor investigations or proceedings.

Enforcement. NTMC and NTMC contractors reserve the right to remove content that is deemed in violation of this policy or any applicable law. Violations of this policy may result in disciplinary action.

INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

Overview. NTMC's technological assets and contracted IT services are provided by DCTA. DCTA's intentions for publishing an Acceptable Use Policy are not to impose restrictions that are contrary to DCTA's established culture of openness, trust and integrity. DCTA is committed to protecting DCTA's employees, partners

and the company from illegal or damaging actions by individuals, either knowingly or unknowingly.

Internet/Intranet/Extranet-related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing, and FTP, are the property of DCTA. These systems are to be used for business purposes in serving the interests of the agency and its stakeholders in the course of normal operations. Please review NTMC Human Resources policies for further details.

Effective security is a team effort involving the participation and support of every DCTA employee and affiliate who deals with information and/or information systems. It is the responsibility of every computer user to know these guidelines, and to conduct their activities accordingly.

Purpose. The purpose of this policy is to outline the acceptable use of computer equipment at DCTA. These rules are in place to protect the employee and DCTA. Inappropriate use exposes DCTA to risks including virus attacks, compromise of network systems and services, and legal issues.

Scope. This policy applies to the use of information, electronic and computing devices, and network resources to conduct DCTA business or interact with internal networks and business systems, whether owned or leased by DCTA, the employee, or a third party. All employees, board members, contractors, consultants, temporary, and other workers at DCTA and its subsidiaries are responsible for exercising good judgment regarding appropriate use of information, electronic devices, and network resources in accordance with DCTA policies and standards, and local laws and regulation. Exceptions to this policy are stated in the Policy Compliance section.

This policy applies to employees, contractors, consultants, temporaries, and other workers at DCTA, including all personnel affiliated with third parties. This policy applies to all equipment that is owned or leased by DCTA.

Policy.

General Use and Ownership:

- DCTA proprietary information stored on electronic and computing devices whether owned, licensed, or leased by DCTA, the employee or a third party, remains the sole property of DCTA.
- You have a responsibility to promptly report the theft, loss or unauthorized disclosure of DCTA proprietary information.
- You may access, use or share DCTA proprietary information only to the extent it is authorized and necessary to fulfill your assigned job duties.
- Employees are responsible for exercising good judgment regarding the reasonableness of personal use. Individual departments are responsible for creating guidelines concerning personal use of Internet/Intranet/Extranet systems. In the absence of such policies, employees should be guided by departmental policies on personal use, and if there is any uncertainty,

employees should consult their supervisor or manager. Employees should have no expectation of privacy when using the Internet/Intranet/Extranet.

- For security and network maintenance purposes, authorized individuals within DCTA may monitor equipment, systems and network traffic at any time.
- DCTA reserves the right to audit networks and systems on a periodic basis to ensure compliance with this policy.

Security and Proprietary Information:

- All mobile and computing devices that connect to the internal network must comply with this Acceptable Use Policy and are subject to removal from the network at any time.
- System level and user level passwords must comply with the Password Policy. Providing access to another individual, either deliberately or through failure to secure its access, is prohibited.
- You must lock the screen of your workstation or log off when the device is unattended.
- Employees must use extreme caution when opening email attachments received from unknown senders, which may contain malware.

Unacceptable Use:

- The following activities are, in general, prohibited. Employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., systems administration staff may have a need to disable the network access of a host if that host is disrupting production services).
- Under no circumstances is an employee of DCTA authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing DCTA-owned resources.
- The lists below are by no means exhaustive but attempt to provide a framework for activities which fall into the category of unacceptable use.

System and Network Activities (The following activities are strictly prohibited, with no exceptions):

- Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by DCTA.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, and the installation of any copyrighted software for which DCTA or the end user does not have an active license is strictly prohibited.

- Accessing data, a server or an account for any purpose other than conducting DCTA business, even if you have authorized access, is prohibited.
- Exporting software, technical information, encryption software or technology, in violation of international or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
- Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.).
- Revealing your account password to unauthorized individuals or allowing use of your account by others. This includes family and other household members when work is being done at home.
- Using a DCTA computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws in the user's local jurisdiction.
- Making fraudulent offers of products, items, or services origination from any DCTA account.
- Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
- Effecting security breaches or unauthorized disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging into a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service, and forged routing information for malicious purposes.
- Port scanning or security scanning is expressly prohibited unless prior notification to DCTA is made.
- Executing any form of network monitoring which will intercept data not intended for the employee's host, unless this activity is a part of the employee's normal job/duty.
- Unauthorized circumvention of user authentication or security of any host, network or account.
- Introducing honeypots, honeynets, or similar technology on the DCTA network.
- Interfering with or denying service to any user other than the employee's host (for example, denial of service attack).
- Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user's terminal session, via any means, locally or via the Internet/Intranet/Extranet.
- Providing information about, or lists of, DCTA employees to parties outside DCTA without proper authorization.

Email and Communication Activities. When using DCTA resources to access and use the Internet, users must realize they represent the DCTA. Whenever employees state an affiliation to DCTA, they must also clearly indicate that "the

opinions expressed are my own and not necessarily those of the company". Questions may be addressed to the IT Department.

- Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material (email spam).
- Any form of harassment via email, or telephone, whether through language, frequency, or size of messages.
- Unauthorized use, or forging, of email header information.
- Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
- Creating or forwarding "chain letters," "Ponzi" or other "pyramid" schemes of any type.
- Use of unsolicited email origination from within DCTA's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by DCTA or connected via DCTA's network.
- Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups (newsgroup spam).

Policy Compliance. The DCTA team will verify compliance to this policy through various methods, including but not limited to, business tool reports, internal and external audits, and feedback to the policy owner. Any exception to the policy must be approved by the DCTA team in advance. An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Related Standards, Policies and Processes: Social Media Policy, and Password Policy.

SECTION 9 – WORK PERFORMANCE/DEFINITIONS

PROBATIONARY PERIOD

Probationary employees are those whose performance is being evaluated to determine whether further employment in a specific position with NTMC is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification. All employees will begin their employment with NTMC as a probationary employee for a period of three (3) months. After the completion of their introductory period, all employees will be evaluated, and a determination will be made as to the continuance of employment.

The probationary period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. NTMC uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or NTMC may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

Only those employees who meet acceptable performance, and other standards during the probationary period, will be retained as employees. An extended orientation and/or training time may be added to the probationary period. Employees are considered probationary employees until they have actually performed their regular job duties for at least three months to assure their ability to meet acceptable standards of work performance and behavior for the employee's position.

Employees who are promoted or transferred within NTMC must complete a secondary introductory period of the same length with each reassignment to a new position. Benefits eligibility and employment status are not changed during the secondary introductory period that results from a promotion or transfer within NTMC. In cases of promotions or transfers within NTMC, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary introductory period.

PERFORMANCE EVALUATION

NTMC uses a thorough performance evaluation system for assisting supervisors in communicating job expectations, measuring the employee's level of past performance, recognizing employee achievements and exemplary performance, and strengthening the supervisor-employee relationship. The performance evaluation system provides necessary information for management decisions including career development and training, assignments, advancements, transfers, disciplinary actions, retention, compensation, etc.

PROGRESSIVE DISCIPLINE

The purpose of this policy is to state NTMC's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

NTMC's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

To ensure orderly and productive operations and provide the best possible work environment, NTMC requires employees to follow rules of conduct that will protect the interests and safety of NTMC and its employees.

In certain instances, NTMC will use a progressive disciplinary system. NTMC is not obligated to use all of the progressive disciplinary steps available to it, and may begin the disciplinary process at any level, up to and including immediate discharge, depending upon the severity of the conduct, the employee's work performance and prior disciplinary history, the employee's length of service, and any mitigating circumstances. Depending on the circumstances of each individual case, disciplinary action may consist of one or more of the following:

- a. verbal warning
- b. written reprimand
- c. probation
- d. suspension (without pay)
- e. demotion
- f. termination

Documentation. All forms of discipline, other than oral warnings, must be documented and will be placed in the employee's personnel file. In the event an employee is discharged, the supervisor shall forward a copy of the dismissal to NTMC Human Resources, who shall forward a copy of the dismissal to the General Manager. The supervisor will also make a recommendation concerning the possible rehiring (or not rehiring) of the person in the future.

Supervisory Responsibility. All employees with the responsibility and authority to supervise and direct employees under their control shall administer policies and procedures within their scope of authority; document their subordinates' job performance, conduct and behavior as appropriate; properly conduct evaluations of subordinates in a timely manner; discipline their subordinates as required under their departmental and/or NTMC policies and procedures, as well as address performance appeals submitted to them as provided by policy in a professional manner, in an attempt to resolve such issues at the lowest possible supervisory level.

Disciplinary Conference. A disciplinary conference will be scheduled prior to the imposition of a disciplinary suspension of one day or more, demotion, or termination. The supervisor, the affected employee, NTMC Human Resources, and anyone else deemed necessary by the supervisor typically attend the disciplinary conference. During the conference, the affected employee will be given an opportunity to present an explanation of the conduct leading up to the proposed disciplinary action. Employees will be given advance notice of the conference. Employees may, in NTMC's sole discretion, be placed on administrative leave prior to, during, or after the disciplinary conference. The employee will be notified of NTMC's determination following the conference.

Review by NTMC Human Resources. Any proposed disciplinary action in excess of an oral warning must be reviewed by NTMC Human Resources, prior to being given to the employee. This applies to both probationary and non-probationary employees.

Administrative Leave. During an investigation into alleged offenses or violations of NTMC policies, NTMC may, in its sole discretion, place the employee on administrative leave. The leave may be with or without pay, and may be charged to available accrued leave if authorized by the General Manager.

Appeal Rights. Where a disciplinary action involves a suspension of one day or more, demotion, and/or termination, the employee will normally be given an opportunity to respond to the allegations prior to disciplinary action being taken. However, positions classified as Director Level and above are employed at the will and pleasure of the General Manager, and have no right of appeal for any type of disciplinary action, including termination. Probationary employees likewise have no right of appeal for disciplinary action taken against them.

Prohibited Activities. Disciplinary action will be imposed for violations of NTMC or departmental policies and procedures, codes of conduct, rules and regulations, either written or verbal. In addition, acts which are not specifically addressed in policies and procedures, codes of conduct, and rules and regulations, yet may adversely affect NTMC or put the health and safety of fellow employees, citizens or other third parties, at risk, may also result in disciplinary action up to and including termination of employment.

EMPLOYEE COMPLAINT AND APPEAL PROCEDURES

NTMC recognizes that employees may on occasion experience a job-related problem. It is important to both NTMC and the employee that a solution be worked out if possible. Examples of items that may be appropriate for NTMC's complaint/appeal procedures include: personal working conditions, wages, raises, benefits, disciplinary actions, and employee performance evaluations.

Filing. Employees are expected to follow the complaint/appeal procedures outlined in the Complaint/Appeal Policy and to express their views in a fair and honest manner. Every effort should be made to resolve complaints and appeals at the lowest possible level in the organization. NTMC Human Resources or the employee's supervisor shall provide a copy of the procedure upon request. NTMC Human Resources is available to assist employees with this process.

Further Consideration. An employee failing to gain satisfaction after conferring with the employee's supervisor may present his/her grievance to NTMC Human Resources, who will forward the grievance to the General Manager.

Final Decision. The decision of the General Manager is final.

EMPLOYEE HANDBOOK ACKNOWLEDGEMENT FORM

The Employee Handbook describes important information about NTMC. I understand that I should ask questions on any part or aspect of this handbook to Human Resource or General Manager.

I have entered into my employment relationship with NTMC voluntarily, and acknowledge that there is no specified length of employment. Accordingly, either I or NTMC 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.

I acknowledge that, while I'm able to use my total vacation/sick hours at any point in the year (outside of the probationary period), any negative accruals will be reimbursed to NTMC, if applicable, on my final paycheck, if my employment is terminated at any time – whether by myself or the agency.

Since the information, policies, and benefits described here are necessarily subject to change; I acknowledge that revision to the handbook may occur, except to NTMC's policy of employment-at-will.

I understand that revised information may supersede, modify, or eliminate existing policies. 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 revision made to it. Every employee is expected to be familiar with all NTMC employee policies. Failure to read, understand, ask questions for clarification, ignorance or misinterpretation, etc. does not alleviate responsibility to knowing and following these policies.

Employee's Name (Printed)

Employee's Signature

_____/_____/_____
Date

North Texas Mobility Corporation

Drug and Alcohol Policy

Effective as of June 02, 2019

Adopted by: Linda Hapeman, NTMC General Manager



Date Adopted: June 02, 2019

Last Revised: June 02, 2019

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I. Purpose of Policy

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager's office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website <http://transit-safety.fta.dot.gov/DrugAndAlcohol/>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655.

Portions of this policy are not FTA-mandated but reflect North Texas Mobility Corporation's policy. These additional provisions are identified by **bold text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

All North Texas Mobility Corporation employees are subject to the provisions of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify Safety, Security & Training Manager no later than five days after such conviction.

2. Covered Employees

This policy applies to every person, including an applicant or transferee, who performs or will perform a "safety-sensitive function" as defined in Part 655, section 655.4.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

See Attachment A for a list of covered positions by job title.

3. Prohibited Behavior

Use of illegal drugs is always prohibited. All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body at or above the minimum thresholds defined in Part 40. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

4. Consequences for Violations

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional.

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties for at least eight hours unless a retest results in the employee's alcohol concentration being less than 0.02.

Zero Tolerance

Per North Texas Mobility Corporation policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will be referred to a Substance Abuse Professional (SAP) **and terminated from employment.**

5. Circumstances for Testing

Pre-Employment Testing

Pre-employment alcohol tests are conducted after making a contingent offer of employment or transfer. All pre-employment alcohol tests will be conducted using the procedures set forth in 49 CFR Part 40. An alcohol test result of less than 0.02 is required before an employee can first perform safety-sensitive functions. If a pre-employment alcohol test is cancelled, the individual will be required to undergo another test with a result of less than 0.02 before performing safety-sensitive functions.

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT pre-employment drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

Reasonable Suspicion Testing

All covered employees shall be subject to a drug and/or alcohol test when North Texas Mobility Corporation has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Post-Accident Testing

Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

Fatal Accidents

As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation

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vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by North Texas Mobility Corporation using the best information available at the time of the decision, will be tested.

Non-fatal Accidents

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (2) One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (3) The vehicle is a rail car, trolley car or bus, or vessel, and is removed from operation, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by North Texas Mobility Corporation using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Random Testing

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at www.transportation.gov/odapc/random-testing-rates.

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

Random Testing – End of Shift

Random testing may occur anytime an employee is on duty so long as the employee is notified prior to the end of the shift. Employees who provide advance, verifiable notice of scheduled medical or child care commitments will be random drug tested no later than three hours before the end of their shift and random alcohol tested no later than 30 minutes before the end of their shift. Verifiable documentation of a previously scheduled medical or child care commitment, for the period immediately following an employee's shift, must be provided at least **two hour** before the end of the shift.

6. Testing Procedures

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

Dilute Urine Specimen

If there is a negative dilute test result, North Texas Mobility Corporation will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. North Texas Mobility Corporation guarantees that the split specimen test will be conducted in a timely fashion. The employees will be required to pay for the test.

7. Test Refusals

As a covered employee, you have refused to test if you:

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- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by North Texas Mobility Corporation.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or North Texas Mobility Corporation for drug testing.
- (7) Fail to undergo a medical evaluation as required by the MRO or North Texas Mobility Corporation's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions and referred to an SAP.

8. Voluntary Self-Referral

Any employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to the Louise Francois Safety, Security & Training Manager who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program.

9. Prescription Drug Use

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to Louise Francois Safety, Security & Training Manager. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

10. Contact Person

For questions about North Texas Mobility Corporation's anti-drug and alcohol misuse program, contact Louise Francois, Safety, Security & Training 1101 Teasley Lane, Denton Texas 76205

Rainey Counseling Service

Robert E. Rainey MA, LPC, ICAADC, EAS-C, SAP

4275 Little Road, Suite 204 Arlington Texas 76017

817-781-7235 rainey@counselingservices.com

Mutual of Omaha Insurance Company

3300 Mutual of Omaha Plaza

Omaha, NE 68175

800-316-2796

Attachment A: Covered Positions

General Manager: Linda Hapeman

Safety, Security & Training Manager: Louise Francois

Operation Manager: Ervin Myers

Maintenance Manager: Leo Richer

Operations Supervisors

Bus Operators

Dispatchers

Mechanics

Trainer

Service Attendants

Schedulers

Mobility Specialist

Parts Clerk

Lead Scheduler

Customer Service Manager

Lead Supervisors

Lead Dispatchers



Training Documentation

Training Content: Drug & Alcohol policy

I (print name), _____ have read, received and understand the Drug and Alcohol Policy which North Texas Mobility Corporation has provided to me.

Employee Signature _____ Date _____