



## INTRODUCTION

Welcome to *HAWK OILFIELD SERVICE, INC.* You are a valuable addition to our Company and we look forward to a productive and successful association. We hope you find your employment with us dynamic and rewarding, and we wish you every success in your new position. This manual has been written to serve as the guide for the employer/employee relationship. There are several things that are important to keep in mind about this handbook. First, it contains only general information and guidelines. It is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to your supervisor or the Human Resource Department at (956) 765- 6080. Neither this handbook nor any other Company document confers any contractual right, either expressed or implied, to remain in HAWK OILFIELD SERVICE, INC.'s employ, nor does it guarantee any fixed terms and conditions of your employment. Your employment is not for any specific time. Employment may be terminated at will, with or without cause, and without prior notice, by HAWK OILFIELD SERVICE, INC.. Also you may resign for any reason at any time. No supervisor or other representative of HAWK OILFIELD SERVICE, INC. (except the President AND the CEO of *HAWK OILFIELD SERVICE, INC.*) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above. Second, the procedures, practices, policies and benefits described here may be modified or discontinued from time to time. We will try to inform you of any changes as they occur. Third, this handbook and the information in it should be treated as secret and confidential. No portion of this handbook should be disclosed to others, except the employees of HAWK OILFIELD SERVICE, INC. whose knowledge of the information is required in the normal course of business. Finally, some of the subjects described here are covered in detail in official policy documents. You should refer to these documents for specific information, since this handbook only briefly summarizes those Benefits. Please note that the terms of the written insurance policies are controlling.

## EQUAL EMPLOYMENT OPPORTUNITY

Equal Employment Opportunity has been, and will continue to be, a fundamental principle at our Company, where employment is based upon personal capabilities and qualifications without discrimination because of race, color, religion, sex, age, national origin, disability, or any other protected characteristic as established by law. This policy of Equal Employment Opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, promotion, termination and all other terms and conditions of employment. The Human Resources Department has overall responsibility for this policy and maintains reporting and monitoring procedures. All questions or concerns should be referred directly to the Human Resources Department. Appropriate disciplinary action will be taken against any employee willfully violating this policy.

## NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY

We are committed to maintaining a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, HAWK OILFIELD SERVICE, INC. expects that all relationships among persons in the workplace will be business-like and free of bias, prejudice and harassment. It is the policy of our Company to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, age, national origin, disability or any other characteristic protected by law. HAWK OILFIELD SERVICE, INC. prohibits and will not tolerate any such discrimination or harassment.

## DEFINITIONS OF HARASSMENT

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. For the purposes of this policy, sexual harassment is defined, as in the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct has the purpose or effect of unreasonably



Interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment. Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to: unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, catcalls or touching; insulting or obscene comments or gestures; display or circulation in the workplace of sexually suggestive objects or pictures (including through e-mail); and other physical, verbal or visual conduct of a sexual nature. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, age, national origin, disability or any other characteristic protected by law or that of his/her relatives, friends or associates, and that: (i) has the purpose or effect of creating an intimidating, hostile or offensive work environment; (ii) has the purpose or effect of unreasonably interfering with an individual's work performance; or (iii) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

## INDIVIDUALS AND CONDUCT COVERED

These policies apply to all applicants and employees, and prohibit harassment, discrimination and retaliation whether engaged in by fellow employees, by a supervisor or manager or by someone not directly connected to HAWK OILFIELD SERVICE, INC. (e.g., an outside vendor, consultant or customer). Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

## RETALIATION IS PROHIBITED

HAWK OILFIELD SERVICE, INC. prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action.

## COMPLAINT PROCEDURE

### REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

HAWK OILFIELD SERVICE, INC. strongly urges the reporting of all incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Individuals who believe they have experienced conduct that they believe is contrary to HAWK OILFIELD SERVICE, INC.'s policy or who have concerns about such matters should file their complaints with their immediate supervisor, the Director of Human Resources or any member of the Human Resources Department, at 1-956-765-6080. **Employees are not obligated to file their complaints with their immediate supervisor first before bringing the matter to the attention of one of the other designated representatives identified above.**

**IMPORTANT NOTICE TO ALL EMPLOYEES:** 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 could affect his or her rights in pursuing legal action. Early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, while no fixed reporting period has been established, HAWK OILFIELD SERVICE, INC. strongly urges the prompt reporting of complaints or concerns so that rapid and constructive action can be taken. The availability of this complaint procedure does not preclude individuals who believe they are being subjected to harassing conduct from promptly advising the offender that his or her behavior is unwelcome and requesting that it be discontinued.

## THE INVESTIGATION

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be



maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action.

## **RESPONSIVE ACTION**

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as HAWK OILFIELD SERVICE, INC. believes appropriate under the circumstances. Individuals who have questions or concerns about these policies should talk with a member of the Human Resources Department. Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions in order to avoid allegations of harassment. The law and the policies of HAWK OILFIELD SERVICE, INC. prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges and prerequisites of employment. The prohibitions against harassment, discrimination and retaliation are intended to complement and further these policies, not to form the basis of an exception to them.

## **AMERICANS WITH DISABILITIES ACT POLICY STATEMENT**

Our Company is committed to complying with all applicable provisions of the Americans with Disabilities Act (“ADA”). It is HAWK OILFIELD SERVICE, INC.’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of such individual’s disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, HAWK OILFIELD SERVICE, INC. will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA, who has made HAWK OILFIELD SERVICE, INC. aware of his or her disability, provided that such accommodation does not constitute an undue hardship on HAWK OILFIELD SERVICE, INC. Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Human Resources Department. *HAWK OILFIELD SERVICE, INC.* encourages individuals with disabilities to come forward and request reasonable accommodation. © HAWK OILFIELD SERVICE, INC.

## **PROCEDURE FOR REQUESTING AN ACCOMMODATION**

On receipt of an accommodation request, a member of the Human Resources Department and your supervisor will meet with you to discuss and identify the precise limitations resulting from the disability and the potential accommodation that can be made to help overcome those limitations. HAWK OILFIELD SERVICE, INC. will determine the feasibility of the requested accommodation considering various factors, including, but not limited to the nature and cost of the accommodation, the availability of tax credits and deductions, outside funding, financial resources and organization, and the accommodation’s impact on the operation of HAWK OILFIELD SERVICE, INC., including its impact on the ability of other employees to perform their duties and on HAWK OILFIELD SERVICE, INC.’s ability to conduct business. HAWK OILFIELD SERVICE, INC. will inform the employee of its decision on the accommodation request or on how to make the accommodation. If the accommodation request is denied, employees will be advised of their right to appeal the decision by submitting a written statement explaining the reasons for the request. If the request on appeal is denied, that decision is final. The ADA does not require HAWK OILFIELD SERVICE, INC. to make the best possible accommodation, to reallocate essential job functions, or to provide personal use items (i.e., eyeglasses, hearing aids, wheelchairs etc.). An employee or job applicant who has questions regarding this policy or believes that he or she has been discriminated against based on a disability should notify the Human Resources Department. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

## **CO-EMPLOYMENT**

Traditional employment relationships consist of two parties - the EMPLOYEE and the EMPLOYER. Professional Employer Organizations (PEOs) such as our Company introduce a third party to the relationship; the Client Company. How does this (three-party) co-employment relationship work?

**The PEO is responsible to the CLIENT for:**

- Paychecks and W-2s.



- Handling all employment-related paperwork.
- Benefits
- Filing and paying all payroll taxes
- insurance premiums
- Maintaining your official employment records
- Benefit Administration.
- Verifying your employment
- Providing on-the-job supervision
- Providing job standards and a meaningful job description

**The EMPLOYEE, are responsible for:**  
**EMPLOYER INFORMATION AND PROPE**  
**RTY**

The protection of the Company's business information, property and all other Company assets are vital to the interests and success of the Company. No Company related information or property, including without limitation, documents, files, records, and computer files, equipment, and office supplies or similar materials (except in the ordinary course of performing duties on behalf of the Company) may, therefore, be removed from the Company's premises. In addition, when an employee leaves the Company, the employee must return to the Company all Company related information and property that the employee has in his/her possession, including without limitation, documents, files, records, manuals, information stored on a personal computer or on a computer disc, supplies, and equipment or office supplies. Violation of this policy is a serious offense and will result in appropriate disciplinary action, up to and including discharge.

**CONFIDENTIAL NATURE OF WORK**

All Company records and information relating to its customers are confidential and employees must, therefore, treat all matters accordingly. No Company information, including without limitation, documents, notes, files, records, oral information, computer files or similar materials may be removed from the Company's premises without permission from the Company. Additionally, the contents of Company's records or information otherwise obtained in regard to business may not be disclosed to anyone, except where required for a business purpose. Employees must not disclose any confidential information, purposefully or inadvertently (through casual conversation), to any unauthorized person inside or outside the Company. Employees who are unsure about the confidential nature of specific information must ask their supervisor for clarification. Employees will be subject to appropriate disciplinary action, up to and including dismissal, for knowingly or unknowingly revealing information of a confidential nature.

**COVENANT TO NOT COMPETE**

Employees may not solicit business from the Company/Client's existing customers while employed with the Company/Client. Any threat to take the Company/ Client's customers will be viewed as an actual attempt to solicit the business and will result in disciplinary action, including possible termination. In addition, employees may not solicit business from the Company/ Client for a period of twelve months after leaving the Company/Client. Departing employees may not use or disclose the prior employer's trade secrets or other confidential information indefinitely.

**CONFLICT OF INTEREST AND OUTSIDE EMPLOYMENT STATEMENT**

The Company expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of the Company. Business dealings that appear to create a conflict between the interests of the Company and an employee are unacceptable. The Company recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that the Company may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or



an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of the Company's business dealings. Although it is not possible to specify every action that might create a conflict of interest, this policy sets forth the ones which most frequently present problems. If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should immediately contact the Human Resources to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise. A violation of this policy will result in immediate and appropriate discipline, up to and including IMMEDIATE TERMINATION.

## **OUTSIDE EMPLOYMENT**

Employees are required to obtain written approval from the Company before participating in outside work activities. Approval will be granted unless the activity conflicts with the Company's interest. In general, outside work activities are not allowed when they:

- Prevent the employee from fully performing work for which he or she is employed at the Company, including overtime assignments,
- Involve organizations that are doing /seeking to do business with the Company, including actual / potential vendors / customers, or Violate provisions of law or the Company's policies or rules. From time to time, employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to the Company must be given priority. Employees are hired and continue in the Company's employ with the understanding we are their primary employer and other employment or commercial involvement that is in conflict with the business interests of the Company is strictly prohibited.

## **FINANCIAL INTEREST IN OTHER BUSINESS**

An employee and his or her immediate family may not own or hold any significant interest in a supplier, customer or competitor of the Company, except where such ownership or interest consists of securities in a publicly owned company and those securities are regularly traded on the open market or approved by the Company.

## **ACCEPTANCE OF GIFTS**

No employee may solicit or accept gifts of significant value (i.e., in excess of \$25), lavish entertainment or other benefits from potential and actual customers, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest. An employee may entertain potential or actual customers if such entertainment is consistent with accepted business practices, does not violate any law or generally accepted ethical standards and the public disclosure of facts will not embarrass the Company. Any questions regarding this policy should be addressed to the Human Resources Department.

## **REPORTING POTENTIAL CONFLICTS**

An employee must promptly disclose actual or potential conflicts of interest, in writing, to Human Resources. Approval will not be given unless the relationship will not interfere with the employee's duties or will not damage the Company's relationship.

## **VIOLENCE IN THE WORKPLACE**

The Company strongly believes that all employees should be treated with dignity and respect. Acts of violence will not be tolerated. Any instances of violence must be reported to the employee's supervisor and/or the Human Resources Department. All complaints will be fully investigated. The Company will promptly respond to any incident or suggestion of violence. Violation of this policy will result in disciplinary action, up to and including IMMEDIATE TERMINATION.

## **MEDIATION & ARBITRATION**

The Company has adopted the Employment Dispute Mediation & Arbitration Procedure, as the sole way to resolve all disputes that may arise between its Employees and the Employer, the Client or any related parties. Your agreement to use this procedure for resolving disputes is a condition of your employment. We are convinced that





this dispute resolution mechanism provides a superior and mutually beneficial alternative to traditional litigation methods, and we encourage you to contact the Administrator if you have any questions about the procedure.

## **TERMINATION OF EMPLOYMENT**

We hope it won't be necessary for you to leave us. However, if you should decide to do so, we request reasonable notice of your intention (at least two weeks written notice) so that we may take the necessary actions to find a replacement. We also hope it won't be necessary for us to terminate your services. If it is determined that your performance is not satisfactory, your Supervisor will conduct an evaluation interview and communicate with you the specific deficiencies, and the corrective actions required. You will be put on probation, during which time you will be expected to correct the deficiencies. **AT THE END OF THAT PERIOD**, if the deficiencies have not been satisfactorily corrected, you will be terminated. **LAYOFF** You may be laid off because of temporary lack of work. If you are laid off, you are required to contact the Human Resource Department at (956) 765-6080 within 72 hours for further assignment. You should continue to call in every Monday thereafter to determine current job availability. Failure to call in as required could affect your right to collect unemployment benefits.

## **APPEARANCE AND CONDUCT**

The Company expects employees to maintain a neat, well-groomed appearance at all times. Employees should avoid extremes in dress. The Company requires order and discipline to succeed and to promote efficiency, productivity and cooperation among its employees. The orderly and efficient operations require that employees maintain proper standards of conduct at all times. Employees who fail to maintain proper standards of conduct toward their work, their co-workers or the Company's customers, or who violate any of the Company's policies, are subject to appropriate disciplinary action, up to and including discharge. All instances of misconduct should be referred to the Human Resources Department immediately.

## **DRESS STANDARDS**

You are expected to use good judgment in dressing appropriate to the business environment, and to maintain an appearance that will reflect a favorable image of you, the Client, and the Company. Uniforms are required, for all fields operations and you are expected to wear and maintain them neatly and in good repair. Good personal hygiene is always essential.

## **RULES OF CONDUCT**

Notwithstanding any other provision in this handbook, we want you to be aware that certain conduct seriously interferes with the rights of your co-workers and/or the orderly operation of Company business. Accordingly, any employee who engages in the conduct listed below will be subject to **IMMEDIATE TERMINATION**. The list of offenses set forth below is not all-inclusive and the Company may resort to **IMMEDIATE TERMINATION** whenever the employee, in the Company's judgment, engages in conduct warranting such action:

- 1) Drunkenness, assault and/or battery.
- 2) Obscene and indecent conduct
- 3) Stealing, embezzlement, dishonesty, falsifying records, or lying.
- 4) Malicious mischief or horseplay that could or does result in injuries or damage to property.
- 5) Smoking in unauthorized locations.
- 6) Insubordination (including refusal or failure to perform assigned work).
- 7) Absence from duty without notice and permission from your immediate superior, except in the case of an accident, sudden illness, or other causes beyond your control.
- 8) Harboring or refusing treatment of a disease, which could endanger fellow employees.
- 9) Neglect or carelessness that could or does result in damage to Client or Company property or equipment, or the unauthorized use of said property or equipment.
- 10) Sleeping on Duty.
- 11) Reporting to work impaired by alcohol, illegal drugs or controlled substances.
- 12) Using, possessing, selling or distributing alcohol, illegal drugs or controlled substances on Company or Client premises.



- 13) Possession of drug or narcotic paraphernalia on Company or Client premises.
- 14) Refusal to submit to a blood, urine or other test to detect the presence of alcohol, drugs or controlled substances.
- 15) Refusal to sign any disciplinary notice issued to the employee or refusal to cooperate fully in any lawful investigation initiated by the Company or a Client.
- 16) Bringing, possessing or storing firearms on Company or Client's property.
- 17) Promoting or participating in gambling, bookmaking, etc., on the Company or Client's property or worksite.
- 18) Soliciting business from the Company or Client's existing customers while employed with the Company or Client.
- 19) Undue repetition of minor offenses.
- 20) Under No circumstances will an employee be allowed to customize any company equipment of any kind without authorization

## **POLICY STATEMENT**

### **REPORTING TO WORK OR WORKING WITH IMPAIRED ABILITIES; OR THE POSSESSION, CONSUMPTION OR DISTRIBUTION OF DRUGS, CONTROLLED SUBSTANCES, INHALANTS, ALCOHOL OR RELATED PARAPHERNALIA ON COMPANY OR CLIENT PREMISES OR WORKSITES SHALL BE GROUNDS FOR DISCIPLINARY ACTION INCLUDING IMMEDIATE TERMINATION.**

The Company will accommodate employees with disabilities unless doing so would result in an undue hardship. In addition, a condition of employment includes a willingness on your part to agree to a physical and/or substance testing if requested by either the Company or Client for a bonafided work-related reason. We are committed to operating a drug-free work place. Your signature on the Handbook Acknowledgment acknowledges your understanding and willingness to comply with the Corporate Drug & Alcohol Policy. Violations of this policy will result in dismissal.

## **FITNESS FOR DUTY**

The Company reserves the right to require you or an applicant to whom a job offer has been made to submit to a physical examination for bonafide work-related reasons consistent with business needs. Any such examination will be at the Company's expense. If you refuse to submit to an examination, or refuse to authorize the release of examination results to the Company, you are subject to IMMEDIATE TERMINATION.

## **COMPANY POLICY REGARDING EMPLOYEE ALCOHOL & DRUG USE**

Our Company considers the work force as our most important and valuable resource. Your health, welfare, safety and general wellbeing are essential to the success of our Company and the Client's Company. Substance abuse of any kind will not be condoned. Employees taking or under the influence of alcohol and/or drugs, prescribed or illegal, represent a danger to you and your co-workers, as well as equipment and products with which you come in contact. Working under the influence of either alcohol and/or drugs represents an unacceptable risk in terms of compromised work place and public safety, decreased productivity, increased absenteeism and medical costs and poor quality work. Therefore, any employee who, while at work, consumes, uses or is under the influence of alcohol, drugs or inhalants will be subject to disciplinary action, including possible termination. **(Exception; employees who are taking prescription medication under medical supervision. In this instance the employee must advise Human Resources and Safety of this fact along with the name of the medication being taken. The supervisor will assign work based upon this information and the employee's ability to perform his or her normal duties.)** Blood and/or urine samples or other medical tests may be required of an employee at any time and screened by a laboratory for the presence of alcohol, drugs and controlled substances. Persons found to be under the influence of the substances referred to above will be suspended without pay for a minimum of one week. In order to be eligible for reinstatement to pay status, the employee must be referred, at his or her own expense, to a counseling evaluation program and be willing to and actively comply with the recommended course of treatment. Employees who are unwilling or who fail to comply with the treatment / rehabilitation program are not eligible for return to work status. We will accommodate any reasonable professionally recommended course of treatment / therapy. Employee conditions diagnosed by qualified medical professionals, as disabilities may be eligible for a medical leave of



absence in accordance with current company policy. Any subsequent proof of working under the influence of drugs or alcohol will result in immediate termination. Persons who have been reinstated to pay status after agreeing to participate in a rehabilitation program will remain subject to unannounced testing for a period of one year. Positive test results or refusal to test when requested will result in immediate termination. Within the meaning of this policy, "under the influence" is defined as being in a physical or mental condition rendering the individual unable to perform one or more job duties in a productive manner without risk to the safety and well-being of the individual, other employees, the public, or Company. Also, having an alcohol blood concentration in the individual's system of .05% or more; and/or having any detectable level, in excess of a trace, of drugs or controlled substances in the body violates company policy. A "controlled substance" means both illegal drugs and legal drugs when taken in excess of, or without a prescription.

## **REASON TO BELIEVE APPROACH**

We expect all employees to share our concern for a safe and healthy work environment, and to willingly abide by these simple and necessary rules. From time to time however, incidents of behavior or productivity changes may cause management to believe that employee's behavior may be influenced by either drugs or alcohol. In these instances, the employee will be requested to undergo certain testing to prove or disprove that we have "Reason to Believe" there may be a problem. Also, employee's lockers, storage areas, vehicles and person are subject to search for unauthorized substances while on Company or Client Company property, if there is "Reason to Believe". The following conditions constitutes basic "Reason to Believe" justification:

- 1) Change in behavior
- 2) Fighting
- 3) Arguing
- 4) Accidents
- 5) Damage to company, Client Company or customer's equipment or property
- 6) Excessive absence or patterns of absence and tardiness
- 7) Insubordination
- 8) Falsifying records or lying
- 9) Poor quality work
- 10) Neglect
- 11) Sleeping on duty
- 12) Refusal to report injuries and/or receive medical care
- 13) Customer's complaints
- 14) Undue repetition of minor offenses
- 15) Changes in physical appearance (example; glazed eyes, complexion or skin condition, manner of walking, coordination, etc.)
- 16) Unsafe acts

## **EQUIPMENT**

Equipment and furniture provided by the Client is both expensive and critical to business operations. Employees must exercise utmost care in using these items. Supervisors will designate those items that, because of their complexity and/or cost should only be used by specifically authorized employees. Damaged or malfunctioning items must be identified to your supervisor immediately. The Company provides any supplies, uniforms, equipment, automobiles and materials necessary for you to perform your job. These items are to be used solely for the Company's purposes. Employees are expected to exercise care in the use of Company equipment and property and use such property only for authorized purposes. Loss, damages or theft of Company property should be reported at once. Negligence in the care and use of Company property may be considered grounds for discipline, up to and including termination.

## **PERSONAL PHONE CALLS**





The Company acknowledges that occasionally personal phone calls are necessary. These calls, and the length thereof, must be held to an absolute minimum. If all lines are in use, please terminate your call immediately to make business lines available. Long distance calls must not be charged to the business phone under any conditions.

## **CHANGE OF ADDRESS, TELEPHONE OR FAMILY STATUS**

If you change your address or telephone number, please notify the Administrator and your supervisor of the change as soon as possible. Also, advise the Administrator of any change in your marital or family status (i.e., newborn children, adoptions, dependent parents, etc.) so that appropriate adjustments can be made to your withholding tax and other requirements.

## **ATTENDANCE**

You were employed to work your assigned hours, and are expected to be on time and ready to work these hours. When you are absent or late, it places an unnecessary burden on the rest of the employees and the Company's business. Excessive absence or lateness for any reason cannot be tolerated. From time to time you may be required to work overtime. If you are unable to report to work, you must notify your Supervisor as far in advance as possible. He/she will advise you of the procedures required. All personal time off will be without pay unless arrangements are made in advance with your Supervisor to make up the lost time. If you are late in arriving for the beginning of your work period or in returning from lunch, your pay will be docked for the lost time. Lunchtime will be without pay and as scheduled. Your Supervisor must approve any changes in your work schedule or lunch break, in advance. You are expected to work your scheduled hours. Your supervisor must approve, in advance, any overtime hours to be worked we appreciate each employee's commitment to his or her job. Hourly & other non-exempt employees must be compensated at a rate of 1½ times their regular rate of pay for all ours worked in excess of 40 hours during any workweek. Each of us must work to complete our tasks within the 40-hour workweek. Occasionally based on job necessity or personal dedication we work a longer workday or days that may result in an entitlement to overtime pay. We require that you get approval from a Supervisor, authorized to approve overtime, prior to working any amount of overtime. Working without prior approval, can depending on the individual circumstances result in disciplinary action and possible termination. The Law does not permit you to waive your right to overtime compensation.

## **PAY DAYS**

**Wages are paid in accordance with the payday notice posted at the Worksite. Your check stub will show your deductions. If you have any questions about your pay, please feel free to discuss them with your Supervisor.** We treat your rate of pay as strictly confidential. Record and verify your hours worked and submit them as required to your Supervisor.

## **ELECTRONIC AND VOICE MAIL**

The Company reserves the right to monitor electronic mail, "e-mail", voice mail and internet activity for legitimate business reasons. Employees are not permitted to use e-mail or access the Internet for personal reasons. E-mail messages may be audited despite system features that give the appearance of privacy, such as personal passwords and the employee's ability to delete messages. Any violation of this policy may result in disciplinary action, including possible termination.

## **E-MAIL AND INTERNET POLICY**

Every employee is responsible for using the electronic mail (E-mail) system properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources Department. The E-mail system is the property of the Company. It has been provided to you for use in conducting company business. All communications and information transmitted by, received from, or stored in this system are company records. The E-mail system is to be used for company purposes only. Use of the E-mail system for personal purposes is prohibited. Employees have no right of personal privacy in any matter stored in, created, received, or



sent over the E-mail system. The Company, in its discretion as owner of the E-mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the E-mail system, for any reason and without the permission of any employee. Even if employees use a password to access the E-mail system, the confidentiality of any message stored in, created, received, or sent from the Company E-mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish the Company's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to the Company, as E-mail files may need to be accessed by the company in an employee's absence. Employees should be aware that deletion of any E-mail messages or files may not truly eliminate the messages from the system. E-mail messages may be stored on a central back-up system in the normal course of data management. Even though the Company has the right to retrieve and read any E-mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any E-mail messages that are not sent to them. The Company's policies against sexual or other harassment apply fully to the E-mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no E-mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification

### **E-MAIL AND INTERNET POLICY**

Every employee is responsible for using the electronic mail (E-mail) system properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources Department.

The E-mail system is the property of the Company. It has been provided to you for use in conducting company business. All communications and information transmitted by, received from, or stored in this system are company records. The E-mail system is to be used for company purposes only. Use of the E-mail system for personal purposes is prohibited. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the E-mail system. The Company, in its discretion as owner of the E-mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the E-mail system, for any reason and without the permission of any employee. Even if employees use a password to access the E-mail system, the confidentiality of any message stored in, created, received, or sent from the Company E-mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish the Company's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to the Company, as E-mail files may need to be accessed by the company in an employee's absence. Employees should be aware that deletion of any E-mail messages or files may not truly eliminate the messages from the system. E-mail messages may be stored on a central back-up system in the normal course of data management. Even though the Company has the right to retrieve and read any E-mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any E-mail messages that are not sent to them. The Company's policies against sexual or other harassment apply fully to the E-mail system, and any violation of those policies is grounds

for discipline up to and including discharge. Therefore, no E-mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law. The E-mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations.

The E-mail system shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar materials without prior authorization from management. Employees, if uncertain about whether certain information is copyrighted, proprietary, or otherwise inappropriate for transfer, should resolve all doubts in favor of not transferring the information. Although we recognize that the Internet may have useful applications to the Company's business, employees may not engage in Internet use without prior written approval, or unless a specific business purpose requires such use. Absent such approval, employees may not access the Internet using the Company's computer systems, at any time or for any reason. "Surfing the Net" is not a legitimate business activity. Management approval is required before anyone can post any information on commercial on-line systems or the Internet. Any approved material that is posted should obtain all proper copyright and trademark notices. Absent prior approval to act as an official representative of the Company, employees posting information must include a disclaimer in that information stating, "Views expressed by the author do not necessarily



represent those of the Company." Users should routinely delete outdated or otherwise unnecessary E-mails and computer files. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs. Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. E-mails are sometimes misdirected or forwarded and may be viewed by persons other than the intended recipient. Users should write E-mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on the Company letterhead. Because E-mail records and computer files may be subject to discovery in litigation, all employees are expected to avoid making statements in E-mail or computer files that would not reflect favorably on the employee or the Company if disclosed in a litigation or otherwise. Any employee who discovers misuse of the E-mail system should immediately contact their Supervisor. Violations of the Company's Email policy may result in disciplinary action up to and including discharge. The Company reserves the right to modify this policy at any time, with or without notice.

## **INTERNET USE POLICY**

Certain employees may be provided with access to the Internet to assist them in performing their jobs. The Internet can be a valuable source of information and research. In addition, e-mail can provide excellent means of communicating with other employees, our customers and clients, outside vendors, and other businesses. Use of the Internet, however, must be tempered with common sense and good judgment. If you abuse your right to use the Internet, it will be taken away from you. In addition, you may be subject to disciplinary action, including possible termination, and civil and criminal liability. Your use of the Internet is governed by this policy and the E-Mail Policy.

### **Disclaimer Of Liability For Use Of Internet.**

The Company is not responsible for material viewed or downloaded by users from the Internet. The Internet is a worldwide network of computers that contains millions of pages of information. Users are cautioned that many of these pages include offensive, sexually explicit, and inappropriate material. In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. In addition, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Users accessing the Internet do so at their own risk.

**Duty Not To Waste Computer Resources.** Employees must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include, but are not limited to, sending mass mailings or chain letters, spending excessive amounts of time on the Internet, playing games, engaging in online chat groups, printing multiple copies of documents, or otherwise creating unnecessary network traffic. Because audio, video and picture files require significant storage space, files of this or any other sort may not be downloaded unless they are business-related.

**No Expectation Of Privacy.** The computers and computer accounts given to employees are to assist them in performance of their jobs. Employees should not have an expectation of privacy in anything they create, store, send, or receive on the computer system. The computer system belongs to the Company and may only be used for business purposes.

**Monitoring Computer Usage.** The Company has the right, but not the duty, to monitor any and all of the aspects of its computer system, including, but not limited to, monitoring sites visited by employees on the Internet, monitoring chat groups and news groups, reviewing material downloaded or uploaded by users to the Internet, and reviewing e-mail sent and received by users.

**Blocking Of Inappropriate Content.** The Company may use software to identify inappropriate or sexually explicit Internet sites. Such sites may be blocked from access by Company networks. In the event you nonetheless encounter



inappropriate or sexually explicit material while browsing on the Internet, immediately disconnect from the site, regardless of whether the site was subject to company blocking software.

**Prohibited Activities.** Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful, inappropriate, offensive (including offensive material concerning sex, race, color, national origin, religion, age, disability, or other characteristic protected by law), or violative of the Company's equal employment opportunity policy and its policies against sexual or other harassment may not be downloaded from the Internet or displayed or stored in the computers. Employees encountering or receiving this kind of material should immediately report the incident to their supervisor or the Human Resources Department. The equal employment opportunity policy and its policies against sexual or other harassment apply fully to the use of the Internet and any violation of those policies is grounds for discipline up to and including discharge.

**Games And Entertainment Software.** Employees may not use the company's Internet connection to download games or other entertainment software, including wallpaper and screen savers, or to play games over the Internet.

**Illegal Copying.** Employees may not illegally copy material protected under copyright law or make that material available to others for copying. You are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material you wish to download or copy. You may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of your supervisor.

**Virus Detection.** Files obtained from sources outside the Company, including disks brought from home; files downloaded from the Internet, new groups, bulletin boards, or other online services; files attached to e-mail; and files provided by customers or vendors may contain dangerous computer viruses that may damage the Company's computer network. Employees should never download files from the Internet, accept e-mail attachments from outsiders, or use disks from non-Company sources, without first scanning the material with Company-approved virus checking software. If you suspect that a virus has been introduced into the Company's network, notify your Supervisor immediately.

**Sending Unsolicited E-Mail (Spamming).** Without the express permission of their supervisors, employees may not send unsolicited email to persons with whom they do not have a prior relationship.

**Amendments And Revisions.** This policy may be amended or revised from time to time as the need arises. Users will be provided with copies of all amendments and revisions. Violations of this policy will be taken seriously and may result in disciplinary action, including possible termination, and civil and criminal liability. Only for Use of HAWK business

## VOICE MAIL POLICY

Every Company employee is responsible for using the Voice Mail system properly and in accordance with this policy. Any questions about this policy should be addressed to the Human Resources Department. The Voice Mail system is the property of the Company. It has been provided for your use in conducting company business. All communications and information transmitted by, received from, or stored in this system are records and property of the Company. The Voice Mail system is to be used for company purposes only. Use of the Voice Mail system for personal purposes is prohibited. Employees have no right of personal privacy in any matter stored in, created, received, or sent over the Voice Mail system. The Company, in its discretion as owner of the Voice Mail system, reserves and may exercise the right to monitor, access, retrieve, and delete any matter stored in, created, received, or sent over the Voice Mail system, for any reason without the permission of any employee and without notice. Even if employees use a password to access the Voice Mail system, the confidentiality of any message stored in, created,



received, or sent from the Voice Mail system still cannot be assured. Use of passwords or other security measures does not in any way diminish Company's rights to access materials on its system, or create any privacy rights of employees in the messages and files on the system. Any password used by employees must be revealed to us as Voice Mail messages may need to be accessed by the Company in an employee's absence. Even though the company reserve's the right to retrieve and read any Voice Mail messages, those messages should still be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or listen to any Voice Mail messages that are not sent to them. Any exception to this policy must receive the prior approval of management. The Company's policies against sexual or other harassment apply fully to the Voice Mail system, and any violation of those policies is grounds for discipline up to and including discharge. Therefore, no Voice Mail messages should be created, sent, or received if they contain intimidating, hostile, or offensive material concerning race, color, religion, sex, age, national origin, disability or any other classification protected by law. The Voice Mail system may not be used to solicit for religious or political causes, commercial enterprises, outside organizations, or other non-job related solicitations. Users should routinely delete outdated or otherwise unnecessary Voice Mails. These deletions will help keep the system running smoothly and effectively, as well as minimize maintenance costs. Because of the storage space required for Voice Mail messages, employees should not send a Voice Mail message to a large number of recipients without prior approval from their supervisor. Employees are reminded to be courteous to other users of the system and always to conduct themselves in a professional manner. Voice Mails are sometimes misdirected or forwarded and may be heard by persons other than the intended recipient. Users should create Voice Mail communications with no less care, judgment and responsibility than they would use for letters or internal memoranda written on company's letterhead. Because Voice Mail records and messages may be subject to discovery in litigation, employees are expected to avoid making statements in Voice Mail that would not reflect favorably on the employee or the Company if disclosed at litigation or otherwise. Any employee who discovers misuse of the Voice Mail system should immediately contact the Human Resources Department. Violations of the company's Voice Mail policy may result in disciplinary action up to and including discharge. The Company reserves the right to modify this policy at any time, with or without notice.

## **EMPLOYEE BENEFITS**

We offer an extensive array of Benefits. You may purchase or participate in any program(s) that may be of value to you. The level of funding for these benefits may vary from Client Company to Client Company but will be consistent for all employees working at that location. Also, present benefits may require revisions due to legal or policy changes. Employees will be notified of changes as soon as practicable. If you have any questions, contact your Supervisor or the Human Resource Dept. at (956) 765-6080.

## **HEALTH & LIFE INSURANCE**

Full-time\*, permanent employees are eligible for Major Medical Insurance when the Client Company has elected to contribute towards the cost of coverage. Employees electing Major Medical insurance will be covered effective on the 1<sup>st</sup> day of the month following eligibility period. You must complete the appropriate insurance application and pay for the first month's premiums in advance to enroll in a plan. Please see the Benefit Summary for more formation. Questions about your coverage, not answered by the information in the Summary should be referred to the Human Resource Department at HAWK. At locations where the Client Company pays for Employee Life and Accidental Death and Dismemberment (AD&D) Insurance, coverage is effective on the 1<sup>st</sup> of the month following 60 days of employment or eligibility. You must complete the application to enroll in the insurance. \*Full-time means working at least 30 hours per week on a consistent basis.

## **FAMILY AND MEDICAL LEAVE OF ABSENCE (FMLA)**

Employees who have been continuously employed by the Company and/or the Client for twelve (12) months may be granted a leave of absence under the provisions of the FMLA of 1993, subject to the following guidelines:





1. All accrued and available sick and/or vacation hours must be used prior to entering an unpaid status.
  2. Medical documentation from a physician is required when the request is for a medical reason.
  3. Legal documentation from an attorney or officer of the court is required for adoption or family estate settlement actions.
  4. Documentation must indicate when the leave should begin as well as your anticipated date of return.
- When requesting time off, please use our "Request For Time Off" form. Approval/Disapproval of your request is processed to your supervisor and then to the Human Resources Dept. If your reason for time off qualifies as an FMLA absence, we will contact you regarding the procedures to follow and the information that you must submit. All Leaves of Absence are limited to twelve (12) weeks during a 12-month period. Each request will be evaluated on its own merits and in accordance with current law. If you intend to return to work following a medical leave you must notify us prior to the expiration of the leave of absence. You must also present a written statement from your physician certifying your fitness for return. If such notification is not received, you will be considered to have resigned from employment at the end of the leave period.

## **JURY DUTY**

Jury duty is a civic responsibility. You will be excused from work without pay to satisfy that obligation. Advise your supervisor when you are released from jury duty, so that you can be scheduled back to work. Federal or State laws take precedence.

## **YOUR RIGHTS UNDER THE FAMILY & MEDICAL LEAVE ACT OF 1993**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year and for 1250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

**REASON FOR TAKING LEAVE:** Unpaid leave must be granted for any of the following reasons:

1. To care for the employee's child after birth, or placement for adoption or foster care.
2. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
3. For a serious health condition that makes the employee unable to perform the employee's job.
4. Qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or call to active duty as a member of the National Guard or Reserves in support of a contingency operation.

At the employee or employer's opinion, certain kinds of paid leave may be substituted for unpaid leave.

**ADVANCE NOTICE AND MEDICAL CERTIFICATION:** The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met. The employee ordinarily must provide 30 days advance notice when the leave is "foreseeable". An employer may require medical certification to support a request for leave because of serious health condition, and may require second or third opinions (at the employee's expense) and a fitness for duty report to return to work.

**JOB BENEFITS AND PROTECTION:** For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan". Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

**UNLAWFUL ACTS BY EMPLOYERS:** FMLA makes it unlawful for any employer to: Interfere with, restrain, or deny the exercise of any right provided under FMLA; discharge or Discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

**ENFORCEMENT:** The U.S. Department of Labor is authorized to investigate and resolve complaints of violations. An eligible employee may bring a civil action against an employer for violations. FMLA does not affect any Federal



or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

**FOR MORE INFORMATION:**

Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor. U.S. DOL, Employment Standards Administration Wage and Hour Division, Washington, D.C. 20210 WH Publication 1420, June 1993

**NOTICE TO EMPLOYEES CONCERNING WORKERS' COMPENSATION IN TEXAS COVERAGE**

*Hawk Oilfield service, Inc.* provide workers' compensation insurance, to protect you in the event of a work-related injury or illness. You or a person acting on the employee's behalf must notify us of any injury or illness not later than the end of the shift. After the date on which the injury occurs or the date the employee knew or should have known of an illness, unless the commission determines that good cause existed for failure to provide timely notice. Your employer is required to provide you with coverage information when you are hired or will be advised whenever the employer becomes, or ceases to be, covered by workers' compensation insurance.

**EMPLOYEE ASSISTANCE**

Free information about how to file a workers' compensation claim is available from your State Workers' Compensation Agency. The staff will explain your rights and responsibilities under the Workers' Compensation Law and assist in resolving disputes about a claim. You can obtain this assistance by contacting your local Commission field office.

**FRAUD**

Special Units have been established to report and investigate allegations of worker, employer, and medical provider fraud. Workers' Compensation Fraud is a **FELONY** that can result in **FINE, IMPRISONMENT, RESTITUTION, and LOSING YOUR JOB.**

**ACCIDENT REPORTING**

The employee agrees to limit his/her recovery against the Company and Client for compensable injuries and illnesses to the benefits allowed by the Texas Workers' Compensation Act and similar acts of other jurisdictions.

**ALL ACCIDENTS, HOWEVER SLIGHT, MUST BE REPORTED IMMEDIATELY TO YOUR SUPERVISOR AND TO THE HUMAN RESOURCE DEPARTMENT AT (956) 765-6080.** Under no circumstances should the reporting be more than 24 hours after the incident, in order to ensure proper medical care and claim processing.