



Guardian Building - 500 Griswold, Suite 1690 - Detroit, Michigan 48226 - 962-9000 - 962-9001 fax

# Contract Employee Handbook

ADA and Michigan Handicappers .....	9
Administrative Pay.....	8
Alcohol and Drugs.....	14
Attendance .....	4
Definition of Contract Employment.....	3
Employee Benefits .....	5
Employment Application.....	4
Employment Termination .....	8
Equal Employment Opportunity.....	3
Family Medical Leave.....	9
Grievance Procedure .....	10
Harassment Prevention.....	11
Internet.....	12
Lawful Conduct .....	12
Pay Deductions .....	8
Paydays .....	6
Personnel Data .....	4
Purpose.....	3
Referral Bonus Program.....	6
Safety .....	13
Sexual Harassment.....	11
Timekeeping.....	7
Violence Prevention .....	13
Weapons .....	12
Workers' Compensation .....	8

## PURPOSE OF HANDBOOK

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with OpTech, LLC.

However, 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 OpTech is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

In order to retain necessary flexibility in the administration of policies and procedures, OpTech 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. The only recognized deviations from the stated policies are those authorized and signed by the president of OpTech.

## EQUAL EMPLOYMENT OPPORTUNITY

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at OpTech will be based on merit, qualifications, company requirements, and abilities. OpTech does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, national origin, age, or any other characteristics protected by law.

The policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the president. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

## DEFINITION OF CONTRACT EMPLOYMENT

A contract employee is one who is hired as interim personnel to assist in completing a specific assignment or to supplement the work force or to assist in the completion of a specific project. Contract assignments are limited in duration. OpTech cannot guarantee employment on a regular basis to any employee. Employment, which is less than the initial stated period is beyond the control of OpTech and cannot be held liable. Employment beyond the initial stated period does not infer that there is any guarantee of employment. While contract employees are legally mandated to receive worker's

compensation and Social Security insurance, they are ineligible for other benefit programs until they have met the applicable requirements.

### PERSONNEL DATA

OpTech maintains a personnel file on all employees. Each employee has the right to review that file up to twice a year. All requests must be in writing and submitted to the assigned recruiter with reasonable notice before reviewing the file. Review of a file will be in the presence of an OpTech manager or supervisor.

If personnel data has changed, it is the responsibility of the employee to notify OpTech in writing of the changes. Personnel data includes: address, phone, marital status, number and names of dependents, and individuals to be contacted in the event of an emergency.

### EMPLOYMENT APPLICATION

OpTech 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 misrepresentation, falsifications, or material omissions in any of this information or data may result in OpTech's exclusion of the individual from further consideration of employment or, if the person has been placed, termination of employment. A background check is conducted for every contract employee, who will be notified in writing for a written background check permission that authorizes the release of information for the background report.

Contract employees placed on assignment continue to be employees of OpTech; they are not the employees of the company where they are assigned. All accidents or injuries are to be reported to OpTech as soon as possible. All concerns regarding employment, job assignments, supervision, safety, etc. are to be directed to OpTech.

### ATTENDANCE AND PUNCTUALITY

Excessive absenteeism and chronic tardiness are patterns of behavior that are easily identified. Management will make every effort to discover the reasons for this behavior and to assist the employee in correcting the problem.

Employees may be compensated during the authorized absences in accordance with policy. Authorized absences in excess of the number of days accumulated will not be compensated, but will not jeopardize the employee's employment status.

An employee who, for any reason, will be delayed in reporting to work is required to explain the circumstances. Absences extending three days or more will require a doctor's note to be excused. Absences extending three days or more without a doctor's

note or that disrupt OpTech client activities will be grounds for discipline up to or including termination.

Employees whose duties do not require them to leave the building in which they work must obtain permission from Management to leave during working hours, except for scheduled lunch breaks.

An employee shall not be required or permitted to work any period of time beyond the normal quitting or starting times for the purposes of making up time lost due to tardiness, unauthorized absence, or authorized absence for which the employee is not eligible to receive compensation, without specific authorization from management to do so.

An employee who is absent from work for three (3) consecutive days without good cause and without giving proper notice shall be considered as having quit as of 5:00 p.m. on the third day.

### EMPLOYEE BENEFITS

Contract employees may become eligible for benefits when the length of employment time requirements has been met. (Employees wishing to forego health benefits must provide proof of coverage under another provider).

1. *Health Insurance:* Health, Dental and additional insurance programs are available after 30 days of employment. If elected, the employee will be asked to make monthly payments for a portion of the premiums. OpTech pays a portion of the health and dental premiums.
2. *Holidays:* All contract employees who work an average of 32 hours per week during the preceding 30 days prior to the holiday will be eligible for holiday pay (Holiday pay cannot be banked). These holidays include the following: (Paid client holidays are not to exceed 10 days).

New Year's Day  
 Memorial Day  
 Independence Day  
 Labor Day  
 Thanksgiving

Floating Holiday  
 Day after Thanksgiving  
 Christmas Eve  
 Christmas Day  
 New Years Eve

Generally, at the beginning of the fiscal year, employees will receive an official list of paid holidays. The list will also indicate when the office will be closed if a holiday falls on a weekend. Any time off taken in addition to these days, will be treated as a vacation day or unpaid time off.

3. *Paid Time Off:* Contract employees are eligible for PTO accrual while maintaining at least 32 hrs per week on average during the previous 90 days of employment. Contract employees accrue PTO time at the rate of .833 days for every 30 days employed, equating to 10 days per calendar year. Employees may begin using accrued time after 90 days of employment. PTO time must be coordinated with OpTech management and

clients of OpTech. If an employee has unused PTO time and is employed by OpTech at the end of the year, the unused PTO will be rolled over into the following year, but must be used within 6 months. (Unused PTO time will not be paid if an assignment ends due to poor performance or resignation prior to project completion.) If an employee leaves OpTech for any reason and has advanced PTO, OpTech will deduct the advanced time from the employee's final paycheck.

4. *Bereavement*: You may also receive paid time off for death in the family. This time off should be coordinated and approved by OpTech management.

*Please Note*: Any non-accrued Vacation or Holiday time paid out will be recovered from your final paycheck if not already paid back.

### REFERRAL BONUS PROGRAM

This program is designed to encourage new business development via referral sources other than full-time OpTech staff. This program includes both client and candidate referrals.

"*Client*" referrals are defined as any business, organization or enterprise which may have a need for OpTech's services.

"*Candidate*" referrals are defined as individuals which may be placed on assignment via OpTech, either on a temporary, contract or direct basis.

OpTech minimum profit margin and project duration criteria must be met, or bonus could be altered.

Bonus amounts: \$500 after initial 90 day period is met. If profit margin and duration exceed OpTech's minimum criteria, an additional \$500 will be paid at the 6 months.

### PAYDAYS

Employees are paid semi-monthly and will receive their paychecks on the 15<sup>th</sup> and the Last day of each month. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event that a regularly scheduled payday falls on a day off such as a holiday, employees will receive pay on the last day of work before the regularly scheduled payday. For instance, if there are only 28 days in the month you will be paid on the 28<sup>th</sup>. If there are 31 Days in the month, you will be paid on the 31<sup>st</sup>.

*Please Note*: Corp-to-Corp or 1099 contractors should refer to whatever individual agreement has been agreed to with OpTech.

## TIMEKEEPING

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require OpTech 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. **Employees should accurately record the time they begin and end their workday. Time worked is all the time actually spent on the job performing assigned duties. All time cards must be printed, signed by the employee and on-site supervisor and faxed directly to OpTech (otherwise payment cannot be processed).** Altering, falsifying, tampering with time records, or recording time on another employee's time card may result in disciplinary action, up to and including termination of employment. If corrections or modifications are made to the time card, the supervisor must verify the accuracy of the changes by initialing the time card.

Due to the fact that some OpTech clients do not allow OpTech to bill a premium rate for overtime, written authorization is required of the OpTech employee prior to working any hours in excess of 40 hours in any given week.

Timesheets are due the following Tuesday after a completed work week. A work week is defined as Monday through Sunday. Please make sure to email them or fax them to the following locations:

Email to: [Admin@OpTechus.com](mailto:Admin@OpTechus.com)  
Fax to: 313.962.9001

It will be the responsibility of the employee to provide the timesheet in order to be paid. We will send one reminder email immediately closing a pay period in the event we are missing a timesheet from you. In order to have payroll prepared on time, we will not accept any timesheets 5 days after the closing of a pay period. If you do send the timesheet in after the 5 day cut off, your wages will be paid on the next pay period.

For Example: Pay Period March 1–15<sup>th</sup>, cut-off date March 20<sup>th</sup>. Any timesheets received after the March 20<sup>th</sup> cut-off date, in this example, will be paid to the employee on the next payroll run (March 31<sup>st</sup>).

Also, in order for us to have your correct email address, please send me a test email to [accounting@OpTechus.com](mailto:accounting@OpTechus.com). If you have any questions on payroll, feel free to email me at the address above and I will address any concerns you may have.

**Please Note:** It is the responsibility of every consultant to ensure that all hours of service are recorded appropriately and in a timely manner. Failure to properly record hours worked according to specific client policy causes significant additional work to OpTech and the end client to remedy. This could ultimately result in OpTech and thus the consultant/subcontractor not receiving payment in a timely manner and/or possibly not at all.

### ADMINISTRATIVE PAY CORRECTIONS

OpTech 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 event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of his or her supervisor so that corrections can be made quickly. If OpTech finds an error, they will correct the error as soon as possible or in the next pay period, whichever is most reasonable.

### PAY DEDUCTIONS

The law requires that OpTech make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. OpTech also must deduct Social Security taxes on each employee's earnings up to a specified limit. OpTech matches the amount of Social Security taxes paid by each employee. OpTech offers programs and benefits beyond those required by law at the request of the employee. Eligible employees may voluntarily authorize deductions from their pay checks to cover the costs of participation in these programs, (Ex: 401K plan, credit union, dependent health care coverage, etc.)

### WORKERS' COMPENSATION INSURANCE

OpTech provides workers' compensation insurance at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, in some circumstances, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible. All "on the job" injuries or job related illness will be treated by Concentra Medical Centers or the nearest hospital if seriousness of injury warrants it.

Workers' compensation may be denied if the employee is found to have been involved in horseplay, violation of company policy, violation of safety procedures, and/or test positive for drugs or alcohol.

### EMPLOYMENT TERMINATION

OpTech is an at will employer. This means that employment is by mutual consent and can be terminated by OpTech or the employee at any time. Although this manual points out some specific causes of immediate employment termination by OpTech, this in no way implies an employment arrangement called 'just cause' nor deviates from the at will

policy employment arrangement. The length of employment is not guaranteed by OpTech.

### ADA AND MICHIGAN HANDICAPPER'S CIVIL RIGHTS ACT

The purpose of this Notice is to advise you of your rights under the ADA and the Michigan Handicapper's Civil Rights Act. These laws require employers to accommodate employees or job applicants who have a 'handicap' (as defined in the Acts), unless doing so would cause the employer an undue hardship. According to the Acts, a handicap is:

A determinable physical or mental characteristic of an individual, which may result from disease, injury, congenital condition of birth, or functional disorder, if the characteristic substantially limits 1 or more of the major life activities of that individual and is unrelated to the individual's ability to perform the duties of a particular job or position or substantially limits 1 or more of the major life activities of that individual and is unrelated to the individual's qualifications for employment or promotion.

A handicap does not include:

A determinable physical or mental characteristic caused by the current illegal use of a controlled substance by that individual, or a determinable physical or mental characteristic caused by the use of alcoholic liquor by that individual, if that physical or mental characteristic prevents that individual from performing the duties of his or her job.

The acts provide that a "handicapper" (a person with a handicap) may allege a violation of the law regarding failure to accommodate "only if the handicapper notifies the employer in writing of the need for accommodation with 180 days after the date the handicapper knew or reasonably should have known that an accommodation was needed."

We strongly encourage all persons who believe that they require accommodation in the work place to adequately perform the duties of their job to advise their OpTech supervisor by making a written request for accommodation within the 180 day notification period.

### FAMILY MEDICAL LEAVE ACT

To be eligible, employees must have worked for the employer for one year. They must have completed 1250 hours of service within the preceding 12 months.

Employees may request family leave by submitting it in writing to OpTech's HR department. Eligible employees may request up to a maximum of 12 weeks of family leave within any 12 month period. OpTech requires that any paid time off that has been earned be used concurrently with any Family Medical Leave taken. Family Medical Leave is unpaid. However, OpTech is required by law to have a position equal to that

which the employee was working when they left, if unable to resume them in the same position. Also, health care benefits that have been paid by OpTech will continue to be paid by OpTech for the duration of the leave. Any other costs that were incurred by the employee (i.e. cost of medical insurance for dependents) must be paid on a timely basis during the leave or the benefit will be discontinued.

If possible, OpTech requests that the employee give at least two weeks notice prior to taking a leave of absence so that the employee's responsibilities can be reassigned without interruption in production or service to our customers.

If an employee fails to report to work promptly at the end of the approved leave period, OpTech will assume that the employee has resigned.

### GRIEVANCE PROCEDURE

A grievance is defined as an employee's expressed feeling of dissatisfaction concerning employment conditions or treatment by Management or other employees.

Employees should be encouraged to use the Grievance Procedure and must not, under any circumstances, be penalized for doing so. Management is responsible for ensuring that the grievance is fully processed until the employee is satisfied with the decision or until the employee's right of appeal is exhausted.

Whenever an employee believes that he/she has a work related problem, the employee should bring the matter to the attention of OpTech management within three (3) working days. It is the responsibility of management to investigate the grievance, to attempt to resolve the grievance, and to communicate a decision to the employee within five (5) business days. If the employee's problem is about management, the employee shall be permitted to discuss the problem first with the President in order to avoid an awkward position.

If the aggrieved employee is not satisfied with the management's decision, he/she will be permitted to appeal to the next step in the grievance procedure within five (5) working days. Management will reduce to writing the employee's grievance, the facts and the decision for review by the President, Vice President, or designee. The employee will also put the grievance and facts in writing and submit them to the President.

The President will discuss the matter with the employee and management and will make a decision concerning the grievance within five (5) business days. A final decision will be communicated to the employee within ten (10) business days.

All grievance procedures will be in compliance with current Local, State, and Federal laws.

## HARASSMENT PREVENTION

All individuals have a right to work in an environment free of discrimination, which includes freedom from harassment – whether that harassment is based on sex, age, race, color, national origin, religion, disability/handicap, height, weight, veteran status or marital status or other classification protected by applicable law.

The Company prohibits harassment of any individual in any form by a supervisor, co-worker, customer, or supplier. This prohibition includes, but not limited to, slurs, jokes, or degrading comments as prohibited by law. With respect to sexual harassment, refer to the Sexual Harassment policy.

If you have a complaint of harassment you should report it to your OpTech supervisor or to the Human Resources Department. If the complaint involves a supervisor's conduct, you should report it directly to the Human Resources Department or the President or Vice-President of the Company. When an investigation confirms a complaint of harassment, appropriate corrective action will be taken, up to and including termination. All complaints will be treated confidentially and released only to individuals who need to know. The Company will not tolerate any retaliation against any individual who brings a good faith complaint to the Company's attention, even if the investigation shows that no harassment occurred.

## SEXUAL HARASSMENT

The Company prohibits harassment of any employee. Sexual harassment is intimidating and an abuse of power and is inconsistent with the Company's policies, practice, and management philosophy. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment can take one or more of the following forms:

- Sexual conduct that interferes with another person's work performance or creates an intimidating, hostile, or offensive work environment.
- Personnel decision (e.g. promotion, raises, scheduling) made by a supervisor or boss on the employee's submission to or rejection of sexual advances
- Submission to a sexual advance used as a condition of keeping or getting a job, whether expressed in explicit or implicit terms.

## Employee Recourse

Any employee, who feels subjected to discrimination or harassment, including sexual harassment, should immediately report it to his/her supervisor or an officer of the Company preferably in writing. Such reports will be investigated promptly and thoroughly. If the report has merit, disciplinary action will be taken against the offender. Depending on the severity of the misconduct, the disciplinary action could range from a warning to termination.

Complaints of this nature will be maintained in confidence and divulged to the extent necessary to complete the investigation and determine the appropriate resolution.

### WEAPONS

It is the policy of OpTech that no weapons will be brought onto the premises by employees, vendors, or customers. OpTech reserves the right to inspect all persons and belongings for weapons.

The term weapons includes, but is not limited to, guns, rifles, and other projectile firing weapon, knives, pepper spray, stun guns and any other device used for the purpose of harming another human being.

Anyone found with such an item will have the item confiscated and turned over to the local police department.

Violations of this policy may result in disciplinary action up to termination.

### LAWFUL CONDUCT

OpTech Endeavors to abide by all applicable laws and expects the employees to do the same. The employees have the responsibility to assist in implementing this policy.

If you have any concerns in this regard, you should report it to your assignment supervisor or to your OpTech supervisor. If your concern involves an OpTech supervisor's conduct, you should report it directly to the Human Resources Manager or the President or Vice President of OpTech. When investigation confirms a violation, appropriate corrective action will be taken, up to and including termination. All concerns will be treated confidentially and released only to individuals who need to know. OpTech will not tolerate any retaliation against any individual who brings a good faith report to OpTech's attention, even if the investigation shows that no violation occurred.

### INTERNET

OpTech provides Internet access to employees if it is required for the job position. The Internet is to be used for business purposes only. Employees are not to download anything from the Internet onto their OpTech computers. The Company reserves the right to monitor the employee's usage at any time. If an employee is found to be using the internet for any purpose other than that which is a direct benefit to OpTech, immediate disciplinary action may be taken, including the possibility of immediate suspension or termination of employment.

The only deviation from this policy must be in the form of writing from one of the officers of OpTech.

## VIOLENCE PREVENTION

The Company's objective is to provide you with a workplace that is free from threats and violence, and many of the policies in this Handbook are important in fulfilling this objective, such as the drug and alcohol policy, the weapons policy and so on. Everyone has a responsibility to ensure that our workplace is free of threats and violence.

Contact your assignment supervisor or department manager immediately if you:

- Observe anyone in the building or on the property who you believe should not be there or
- Observe anyone who appears to be intoxicated, impaired, or otherwise incoherent

Call 911 immediately if you:

- Observe any disturbance or violence;
- Hear anyone threaten to harm another person
- Observe anyone with a weapon (gun, knife, etc.) of any sort in the building or on the property or Observe any conduct or behavior or hear something that would lead you to contact the police if you were at your home.

The 911 call will connect you with the local police department or, if you are calling from a cellular telephone, it will connect you with the Michigan State Police who, in turn, will connect you with the local police department.

## SAFETY

To assist in providing a safe and healthful work environment for employees, customers, and visitors, OpTech has established a workplace safety program. This program is a top priority for OpTech. All employees

- ◆ Will be advised of specific safety concerns regarding their assignment.
- ◆ Are expected to immediately report all safety concerns or violations to their supervisor and OpTech management.
- ◆ Are expected to obey safety rules and to exercise caution in all work activities.
- ◆ Are never to perform tasks that they feel may be dangerous, that they may believe they are not qualified to do, or that they feel may endanger another individual.
- ◆ Are never to engage in 'horseplay' or other behavior which is not necessary to doing the assigned job.
- ◆ Are to perform only the tasks that have been described to them by OpTech. If an employee is asked to do other tasks, they are to advise their OpTech supervisor.
- ◆ Who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or use appropriate remedies (if reasonable and will not endanger the employee) may be subject to disciplinary action, up to and including termination of employment.

All accidents and injuries must be reported to a supervisor immediately. OpTech staff must be notified as well.

Safety equipment must be worn when in shop, warehouse, production areas or where posted. This includes, but is not limited to: safety glasses, helmet, gloves, and shoes (steel toed or non-slip).

#### ALCOHOL AND DRUG USE POLICY

OpTech does not tolerate the presence of alcohol or illegal drugs in our workplace. The use, possession, distribution, sale of alcohol or controlled substances, or possessing drug paraphernalia or being under the influence of alcohol or such controlled substances is strictly prohibited while on duty, while on OpTech premises or job sites, or while operating OpTech or assigned customer's equipment or vehicles. The illegal use of drugs is a threat to us all because it promotes problems with safety, customer service, productivity, and our very ability to survive and prosper as a business.

Violation of this policy will result in disciplinary action, up to and including termination.

If an employee chooses to receive treatment for alcohol or drug abuse, the information will be kept confidential.

If drug screening is required at a client's request, the test will be performed on all applicants. In the event that a drug test is failed, applicant will be required to wait 30 days and re-test, with employment not being considered until a drug test is passed.

ACKNOWLEDGEMENT

I acknowledge receipt of OpTech's Personnel Policy Manual. I commit to reading the complete manual and asking management any questions regarding issues I do not understand.

I acknowledge that I will be held responsible for knowing the contents of this manual.

---

Name Printed

---

Signature

---

Date

NOTE: This signed acknowledgement is to be returned to OpTech management via fax at 313-962-9001 or email [admin@optechus.com](mailto:admin@optechus.com) prior to beginning an assignment.