



**BLUEGRASS**  
M A T E R I A L S   C O M P A N Y

## **Employee Handbook**

## **Welcome to Bluegrass Materials**

We have prepared this Employee Handbook to help you understand how we will all work together. We hope it will answer many questions you may have regarding Bluegrass Materials and how we will do things. Should you have any questions regarding the content of this Handbook or about certain policies and procedures, please ask your supervisor.

From time to time the Company may revise these policies or add new ones. The policies may be changed at the sole discretion of the Company. If you do not understand any changes that may occur, please ask your supervisor or any member of Blue Grass Materials management.

For us to achieve this goal, we all need to work together, as a team. In order for us to become a better Company, we must continuously improve everything we do. To help guide our efforts, the Company has established a Mission Statement, Vision, set of Values, and Key Success Factors. These are explained below:

Once again, we are pleased to have you as part of our high performing team and wish you every success. Bluegrass Materials is committed to serving our customers with quality products and services.

Sincerely,

Ted Baker II  
President & CEO

<b>Table of Contents</b>	<b>Page Number</b>
MISSION .....	6
VISION .....	6
VALUES .....	6
KEY SUCCESS FACTORS .....	6
INTRODUCTION & PURPOSE .....	7
OUR HISTORY .....	7
OUR BUSINESS .....	7
YOUR POSITION AND RESPONSIBILITIES .....	7
EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT .....	7
HARASSMENT POLICY .....	8
No Retaliation .....	8
Complaint Procedure .....	8
INTRODUCTORY PERIOD .....	9
PAY DATE .....	9
DIRECT DEPOSIT .....	10
TIME PRACTICES .....	10
PERFORMANCE EVALUATIONS .....	10
WAGE AND EVALUATION CONFIDENTIALITY .....	10
OVERTIME .....	11
PERSONNEL DATA CHANGES .....	11
PAY CORRECTIONS .....	11
EMPLOYEE PRIVACY POLICY .....	11
DRUG AND ALCOHOL POLICY .....	12
NON-FRATERNIZATION .....	13
CODE OF BUSINESS CONDUCT AND ETHICS .....	13
Introduction .....	13
Conflict of Interest .....	13
Corporate Opportunities .....	14
Confidentiality .....	14
Fair Dealing .....	14
Protection and Proper Use of the Company's Assets .....	15
Compliance with Laws, Rules and Regulations .....	15
Reporting of Unethical Behavior and Accounting Matters .....	15
Compliance and Waivers .....	15
COMMUNICATIONS AND PROBLEM SOLVING .....	16
Job Opportunities .....	16
Your Human Resource Department .....	16
Open Door Policy/Problem Solving Procedure .....	16
MEDIA AND PUBLIC CONTACTS .....	17
WORKING TOGETHER .....	17
Our Position Regarding Unions .....	17
Your Work Hours/Reporting Your Absence .....	18
Suggestions .....	18
Smoking/Non-Smoking .....	18

VIOLENCE IN THE WORKPLACE PREVENTION POLICY .....	19
Application of Policy .....	19
Reporting Threats or Acts of Violence .....	19
PERSONAL APPEARANCE .....	20
DISCIPLINARY PROCESS .....	20
COMMUNICATION SYSTEMS .....	20
PHONE PROCEDURES .....	21
Personal Phone Calls .....	21
Cellular Phone Use Policy .....	21
Recording Devices .....	21
RULES OF CONDUCT .....	22
Unacceptable Conduct .....	22
EMERGENCY CLOSINGS .....	23
ACCESS LIMITS .....	23
TIME AWAY FROM WORK .....	23
Absences Less Than Five (5) Scheduled Workdays .....	23
Planned Absence .....	23
Unplanned Absence .....	23
Personal Leave of Absence (PLOA) .....	24
Scheduling of Personal Leave .....	24
Notice of Return .....	24
Written Request and Approval .....	24
Documentation .....	24
Time Not Worked .....	24
Unauthorized Work During Personal Leave of Absence .....	25
Report on Employee's Status and Intent to Return to Work .....	25
Benefits and Reinstatement Rights .....	25
Family and Medical Leave .....	25
Bereavement Leave .....	25
Military Leave .....	26
Short-term Disability Program.....	26
Long-term Disability Leave .....	26
COBRA .....	26
HIPAA .....	27
RECOGNIZED HOLIDAYS.....	27
Eligibility for Holiday Pay .....	27
Work Performed on the Holiday .....	28
PTO During a Holiday .....	28
Worker Compensation Leave .....	28
PTO / Vacation .....	28
PTO Approval .....	29
Jury Duty Leave .....	29
Reduction in Work Force .....	30
SOLICITATION AND NOTICES .....	30
Employees shall not .....	30
INTERNAL INVESTIGATIONS AND SEARCHES .....	31

TERMINATION OF EMPLOYMENT .....	31
Exit Interviews .....	31
BLUEGRASS MATERIALS COMPANY, LLC CODE OF ETHICS .....	32
Introduction .....	32
Conflict of Interest .....	32
Corporate Opportunities .....	33
Confidentiality .....	33
Fair Dealing .....	33
Protection and Proper Use of the Company's Assets .....	33
SAFETY & ENVIRONMENTAL .....	34
Safety Policy Statement.....	34
YOUR RESPONSIBILITY .....	35
Drivers of Company Vehicles and Vehicles for Company Business.....	35
Drug and Alcohol Policy Drug and Alcohol Policy .....	36
Summary of Drug and Alcohol Testing Program .....	36
LOCKOUT / TAGOUT ZERO TOLERANCE POLICY .....	37
SEATBELT COMPLIANCE POLICY .....	38
CELLULAR TELEPHONE POLICY .....	38
NO SMOKING POLICY .....	39
FALL PROTECTION POLICY .....	39
SAFETY, HEALTH, AND ENVIRONMENTAL RULES .....	39
Coming to Work .....	39
Visitors, Vendors, Customers, and Neighbors.....	40
Personal Protective Equipment (PPE) .....	40
Clothing and Hair .....	40
Barricading and Guarding .....	41
Reporting .....	41
General Conduct .....	41
Welding and Cutting .....	42
Lockout / Tagout .....	42
Electrical .....	42
Housekeeping .....	43
Mobile Equipment and Commercial Trucks .....	43
Cranes and Lifting .....	44
Fire Prevention .....	44
Hazard Communications .....	44
Personal Involvement .....	45
ENVIRONMENTAL POLICY .....	45
Environmental Protection .....	45
ACCIDENT AND INJURY PROCEDURES .....	46
Accident and Injury Reporting .....	46
Light Duty / Return to Work Policy .....	46
What if I have Work Restrictions .....	46
SAFETY AND HEALTH DEFINITIONS .....	47
EMPLOYEE HANDBOOK RECEIPT .....	48

## **MISSION:**

To be an excellent construction materials company that operates responsibly focuses on customers and relies on dedicated employees to achieve long-term growth and a superior return on investment.

## **VISION:**

Be the quality name in construction materials. Through employees continually improving everything we do, we will supply quality materials and superb service for our customers; provide an excellent work place; be an excellent neighbor and environmental steward; operate safe, well maintained and cost effective facilities and equipment; and grow profitably in existing and new markets.

## **VALUES: Always do what is right!**

- Safety
- Integrity
- Learning
- Cost Control
- Sense of Urgency
- Housekeeping
- Customer Focus
- Decision by Fact
- Environmental Stewardship
- Strong Work Ethic
- Continuous Improvement
- Community Responsibility
- Employee Involvement
- Long Range View

## **KEY SUCCESS FACTORS:**

- Safety
- Environmental Stewardship
- Customer Satisfaction
- Employee Satisfaction
- Operational Excellence
- Financial Performance

## **INTRODUCTION & PURPOSE**

This handbook is intended to be a guide to employment, not a contract of employment. All employment with Bluegrass Materials Company, LLC (“Bluegrass” or the Company”) is at will. This handbook is supplemented by details in Company policies, plan documents, local policies, HR Bulletins on changes and other Company communications.

## **OUR HISTORY**

Bluegrass Materials was founded in 2010 by the Baker family and several other investors to acquire and manage aggregates operations and aggregates related businesses. The Bakers have been in the construction materials business for three generations, starting with a sand plant near Jacksonville, Florida in 1929. That sand plant developed into a company called Florida Rock Industries, which controlled 47 aggregates facilities when it was sold to Vulcan Materials Company in 2007.

## **OUR BUSINESS**

Bluegrass Materials is a Southeastern U.S. based construction materials company. Our first acquisition in Kentucky has created a platform for future acquisitions in the Southeast.

## **YOUR POSITION AND RESPONSIBILITIES**

As a new employee, you will be in new surroundings and working with new people. Consequently, there will be a great deal of new information that you will need to know. Your position carries with it certain duties and responsibilities that you should know. Your supervisor will inform you of them and help you get acquainted with your surroundings and your new team members. Don't hesitate to ask questions and discuss any problems with your supervisor.

## **EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

Bluegrass is committed to providing equal employment opportunity without discrimination to all applicants and employees according to all applicable laws. In keeping with this commitment, Bluegrass will recruit, hire, train and promote into all job levels the most qualified individuals without regard to race, color, religion, sex, national origin, marital status, disability, age, citizenship status or veteran status. This policy applies to all personnel actions, including, but not limited to, recruiting, hiring, classification/compensation, benefits, promotions, transfers, layoffs, reinstatement, and educational programs. Bluegrass requires reporting of all incidents of discrimination or harassment. It is the policy of Bluegrass Materials to investigate such reports. Bluegrass prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports.

## **HARASSMENT POLICY**

Bluegrass Materials strictly prohibits all forms of harassment based upon a person's sex, race, color, religion, marital status, age, national origin, disability or veteran status. This conduct is prohibited whether committed by supervisory or non-supervisory employees, contractors, vendors or customers. Examples of prohibited conduct include:

- Verbal conduct (for example, sexual or racial epithets, foul language, unwanted sexual flirtations, commentaries about a person's body, ethnic jokes, derogatory statements or slurs)
- Physical conduct (for example, improper touching or assault)
- Visual harassment (for example, sexually or racially explicit or derogatory posters, cartoons or drawings, or obscene gestures)

Even if such actions do not rise to the level of legally actionable conduct, they nonetheless are prohibited in our workplace. In addition, offering or implying to offer employment benefits in exchange for sexual favors is prohibited. Reprisals for a refusal to respond to sexual advances also are prohibited. No supervisor or manager shall threaten or insinuate, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances will in any way influence any personnel decision involving that employee.

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) 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, will not be tolerated.

### **No Retaliation**

Threats or acts of retaliation or retribution against employees who make use of the complaint procedures or who provide information about such complaints will not be tolerated. Use the Complaint Procedures described below to report any such actions.

### **Complaint Procedure**

If you have a good faith belief that you or any other employee has been the victim of harassment, discrimination or retaliation, report the conduct to your supervisor or management. Any such report should be made promptly so that, whenever possible, any problem can be remedied at the earliest opportunity. You may, as you believe appropriate under the circumstances, report incidents directly to:

- Your supervisor or manager
- Your supervisor's or manager's superior
- Any Human Resource Representative
- The Director of Human Resources



## **INTRODUCTORY PERIOD**

All new and rehired employees work on an introductory basis for the first three months after their date of hire. This introductory period is intended to give you the opportunity to demonstrate your ability to achieve a satisfactory level of performance and to determine whether the new position meets your expectations. Bluegrass uses this period to evaluate your capabilities, work habits and overall work performance. Either you or Bluegrass Materials may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

Any significant absence will automatically extend an introductory period by the length of the absence. If Bluegrass Materials determines that the designated introductory period does not allow sufficient time to thoroughly evaluate your work performance, the introductory period may be extended for an additional specified period.

During the introductory period, you are eligible for those benefits that are required by law, such as workers compensation insurance and social security benefits. Once the introductory period has been completed, you may also be eligible for other Bluegrass Materials provided benefits, subject to the terms and conditions of each benefit program. You should carefully read the information for each specific benefits program for the details on eligibility requirements.

## **PAY DATE**

Hourly employees and non-exempt salaried employees are paid on a weekly basis on each Friday of the week. Each payroll check will include earnings for all work performed through the end of the previous payroll period, which runs from Sunday through Saturday.

Salaried employees are paid on a semi-monthly basis with a payroll check issued on the 15th day of the month and on the last business day of the month.

If a regularly scheduled payday falls on a non-business day (such as a holiday), employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's paid time off ("PTO"), the employee's payroll check will be available upon his/her return from PTO, or if on direct deposit, will be deposited on the normal payday.

## **DIRECT DEPOSIT**

You have two choices regarding the payment of your earnings. You can either choose to receive a paycheck every pay period or have your paycheck directly deposited to your checking and/or savings account at your bank. You are strongly encouraged to use direct deposit to ensure your pay always arrives on time even in the case of natural disasters such as snowstorms and hurricanes. Further, direct deposit saves time and money for both you and the Company.

If your paycheck is paid by direct deposit and your bank changes its name (e.g. merges with another bank), please notify the Payroll Department immediately to ensure your pay will continue to be deposited to the proper account.

If you have chosen direct deposit, and you terminate employment from the Company for any reason, your last paycheck will be forwarded to you by check only, not direct deposit.

## **TIME PRACTICES**

Please ensure that your supervisor has informed you of your responsibilities regarding the reporting of your time. At no time and under no circumstances, should you allow anyone else to record your time for you, nor should you record another employee's time for them. All time worked must be reported correctly. Failure to do so can result in severe punishment up to and including termination.

## **PERFORMANCE EVALUATIONS**

The Company's performance evaluation plan provides for periodic review of your work performance by your supervisor. The purpose of the evaluation is to promote better understanding of job expectations, provide a summary confirmation of your previous work performance and identify areas where improvement may be needed and to identify your strengths. Your performance evaluation is considered to be confidential information between you and your supervisor. You are urged to discuss performance areas honestly and frankly during this process. You should use this performance discussion time to discuss your goals for the upcoming year and your future with the Company.

You will receive, at a minimum, an annual written performance evaluation. Three-month reviews may be at the discretion of the supervisor. Please consult with your supervisor as to the performance evaluation schedule for your particular work area.

## **WAGE AND EVALUATION CONFIDENTIALITY**

The Company considers wage and performance evaluation information as personal and confidential. You are encouraged to review and discuss any questions or comments about your performance evaluation or salary with your supervisor.

## **OVERTIME**

When operating requirements or other needs cannot be met during regular working hours, you may be scheduled to work overtime hours and/or weekends. When possible, advance notification of these mandatory assignments will be provided.

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour laws. Overtime pay is based on actual hours worked over forty (40) hours in a workweek. Holiday, jury duty, funeral leave and PTO time are not considered hours worked for purposes of performing overtime calculations.

## **PERSONNEL DATA CHANGES**

You are responsible for updating your personnel information as circumstances change. If you have a change in name, address, telephone number, marital status, dependents, beneficiaries or emergency contacts, please notify your supervisor or your local Human Resource Representative immediately in order that your personnel records can be updated with the correct information. This is extremely important as it could affect your benefit designation, awards of insurance monies and insurance coverage.

## **PAY CORRECTIONS**

You are responsible for reviewing your payroll check or your direct deposit statement each time you receive it to verify that the correct deductions have been taken out of your pay, along with verifying your correct pay amount. If you discover any problems with your pay, please notify your supervisor immediately so that corrections can be made.

If you have been overpaid, you must notify your supervisor immediately. Any overpayments will be due during your next normal pay period or as soon as the overpayment is discovered. You are responsible for any obligations if an overpayment or deduction error occurs.

## **EMPLOYEE PRIVACY POLICY**

At Bluegrass Materials, maintaining the privacy and security of personal information is very important. We collect information needed to disperse pay, manage benefits, evaluate qualifications, manage risk and meet legal requirements. This information is only shared with authorized personnel so as to provide service or meet legal requirements. We maintain physical, electronic and procedural safeguards that comply with regulations to protect your personal data.

## **DRUG AND ALCOHOL POLICY**

It is the policy of Bluegrass Materials to maintain a workplace that is free from drug and alcohol abuse. This policy applies to all applicants, regular fulltime employees, part-time and temporary employees, contract and temporary agency employees of Bluegrass Materials.

Bluegrass Material's drug and alcohol policy includes alcohol and illegal or unauthorized drugs (including excessive quantities of prescription or over-the-counter drugs) and any other chemical substance that may affect an individual's mood, senses, responses, motor functions or affect a person's perception, performance, judgment or reaction.

The unlawful manufacture, distribution, illegal use, solicitation, sale or possession of narcotics, drugs, alcohol or controlled substances while on the job or on Company property is prohibited and is a dischargeable offense. Any illegal substance will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

Off-the-job unlawful manufacture, distribution, illegal use, solicitation, sale or possession of narcotics, drugs, alcohol or controlled substances which adversely affects an employee's job performance or which could jeopardize the safety of others, the public, or Company equipment is proper cause for disciplinary action including termination of employment.

Employees must notify their supervisor immediately (next business day) after any conviction of a criminal drug statute occurring in the workplace.

Employees who are convicted of off-the-job unlawful drug activity will be considered to be in violation of this policy. If an employee is charged with a drug offense, this will be grounds for reasonable suspicion and the employee will be tested upon return to work.

Compliance with the policy is mandatory. Refusal to submit to drug and alcohol testing procedures will constitute grounds for termination of employment.

Employees, who are regulated by the Department of Transportation regulations and guidelines, the U. S. Coast Guard regulations, MSHA, OSHA, and other agencies, will be required to follow those specific regulations and guidelines for drug and alcohol testing.

All employees may be tested for drugs and alcohol in those instances set forth below. Qualified laboratories and personnel will conduct the testing.

- Prospective New Hires and Rehires
- Prospective Recalls from Layoff
- Work Related Injury
- Reasonable Suspicion Testing
- Random Drug Testing
- Post-Rehabilitation Program
- Rehire

## **NON-FRATERNIZATION**

Bluegrass Materials prohibits dating or romantic relationships between employees where one employee is in a position to directly or indirectly influence the other employee's pay, performance evaluation or any other aspects of employment. Failure to follow this policy will result in disciplinary action up to and including termination.

## **CODE OF BUSINESS CONDUCT AND ETHICS**

### **Introduction**

Bluegrass Materials is committed to adhering to the highest ethical, moral and legal standards in the conduct of its business and operations. This Code of Business Conduct and Ethics (the "Code") has been adopted by the Board of Directors of the Company and represents the Company's policies and guidelines regarding the actions of the Company's directors, officers and employees.

This Code cannot address every situation that may arise in the course of business dealings. The Company expects its directors, officers and employees to use good judgment, high ethical standards, honesty and common sense in carrying out their duties and responsibilities to the Company.

The Company intends to enforce vigorously the provisions of this Code. Violations could lead to disciplinary action, including dismissal, for cause, from the director's, officer's or employee's position with the Company, as well as possible civil and criminal liability.

### **Conflict of Interest**

Directors, officers and employees are expected to act and to make decisions that are in the best interests of the Company. Accordingly, directors, officers and employees should avoid any situations which present a conflict between the interests of the Company and their own personal interests.

A conflict of interest occurs when an individual's private interest interferes, or appears to interfere, in any way with the interests of the Company. No director, officer or employee of the Company should take any action that may make it difficult for any such individual to perform his or her duties, responsibilities and services to the Company in an objective and effective manner. No officer or employee is allowed to work for or provide services to any competitor of the Company. No officer or employee of the Company, or any member of his or her immediate family, should accept employment with, or acquire a material financial interest in, any entity doing business with the Company if the employment or interest would conflict with the individual's performance of his or her duties and responsibilities to the Company.

A conflict of interest also arises when a director, officer or employee, or any member of his or her family, receives improper personal benefits as a result of his or her position with the Company. In addition, the Company is strictly prohibited from extending any personal loans to, or guaranteeing the personal obligations of, any director or officer.

Any director, officer or employee who may have a potential or apparent conflict of interest with the Company immediately should contact the Company's President or Chairman of the Board of Directors and provide a written description of such actual or potential conflict of interest. Directors, officers and employees who fail to disclose all such conflicts of interest are subject to discipline, including dismissal by the Company and possible civil and criminal liability.

### **Corporate Opportunities**

Directors, officers and employees are strictly prohibited from: (i) taking for themselves or personally benefiting from, opportunities that are discovered through the use of Company property, information or his or her position with the Company, (ii) using Company property, information, or his or her position with the Company for personal gain, and (iii) competing with the Company.

Directors, officers and employees owe a duty to the Company to advance its legitimate interests when a corporate opportunity arises. If a director, officer or employee is presented with a business opportunity from which the Company could, in the course of its business, profit, such individual must present the opportunity to the Chief Executive Officer or the Chief Financial Officer.

### **Confidentiality**

The success of the Company's business is highly dependent on maintaining the integrity of its confidential information and ensuring that such information is used only for its intended purposes. Directors, officers and employees must maintain, and not improperly use or disclose, the confidentiality of information entrusted to them by the Company and its clients, except when such disclosure is mandated by the law. Confidential information includes all non-public information that might be useful to the Company's competitors or harmful to the Company or its customers, if disclosed.

### **Fair Dealing**

Directors, officers and employees should deal fairly with the Company's customers, suppliers and employees. They should not take unfair advantage of any person through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or any other unfair-dealing practice, whether or not such action is unlawful. Directors, officers and employees must not make a deliberate misrepresentation regarding the Company or its business operations or create or assist any person in creating a false or misleading entry in any book or business record of the Company.

## **Protection and Proper Use of the Company's Assets**

Directors, officers and employees should protect the Company's assets, including computers and related information technology assets, and ensure their efficient and effective use. Theft, loss, misuse, carelessness and waste have a direct impact on the success and profitability of the Company. The Company has acquired its assets for the sole purpose of conducting the business and operations of the Company. The Company's assets should not be used for personal gain and may not be sold, loaned, given away, or disposed of without proper authorization by the Company. All of the Company's assets should be used only for legitimate purposes and in accordance with established Company's policies.

## **Compliance with Laws, Rules and Regulations**

Directors, officers and employees must comply with all laws, rules, regulations and listing standards applicable to the Company, including insider trading laws. Directors, officers and employees who violate any law, rule, regulation or listing standard are subject to discipline, including dismissal by the Company and possible civil and criminal liability.

## **Reporting of Unethical Behavior and Accounting Matters**

The Company encourages its directors, officers, and employees to talk with supervisors, managers, senior executive officers, committee members or any other appropriate person if he or she is in doubt about the best course of action for any particular situation. In addition, all directors, officers and employees should report all violations of any law, rule, regulation, listing standard or provisions of this Code.

The Company encourages its directors, officers and employees to report any concerns that individuals may have regarding questionable accounting or auditing to the Company's Board of Directors. The Company has established controlled procedures to ensure that all such reports are confidential and anonymous.

No director, officer or employee will suffer retaliation in any form for reporting concerns in good faith. The Company will take appropriate corrective and/or disciplinary action against any person who retaliates against any director, officer or employee who in good faith reports a suspected violation of any law, rule, regulation, or provision of the Code.

## **Compliance and Waivers**

The Company requires its directors, officers and employees to strictly comply with this Code. Failure to comply may subject these persons to disciplinary action, including dismissal, for cause, from the director's, officers, or employee's position with the Company as well as possible civil and criminal liability.

The Board of Directors (or any committee to which such authority is delegated by the Board of Directors) may grant to any director, officer or employee a waiver of any

provision set forth in this Code. Any such waiver may be granted in the reasonable discretion of the Board of Directors or such committee.

## **COMMUNICATIONS AND PROBLEM SOLVING**

### **Job Opportunities**

The Company will make attempts to notify you of internal job opportunities through different lines of communication. You may receive word of an opportunity through a job posting, a message (either verbal or written) from your supervisor, etc. Please keep your supervisor informed of any future opportunities that you would like to pursue.

### **Your Human Resource Department**

Your Company Human Resource Department is committed to your success and the success of the Company by providing practical, user-friendly, quality support services. Your Human Resource Department is the Company's strategic business partner in providing a comprehensive, service-oriented employee relations program. This involves assistance with performance appraisals, disciplinary actions, complaint procedure, employee benefit plans, evaluation program, employment and classification information, career counseling sessions, layoff coordination, exit interviews, professional development, training and education.

To ensure that you and your supervisor have the information needed to do your job well and to take advantage of the many benefits and training opportunities available to you as a Bluegrass Materials employee, your Human Resource Department communicates with you openly and regularly. We communicate information of immediate concern, revised or new policies and/or procedures. This communication will be in various forms, such as the HR Bulletin, training calendars, through your group HR/ Safety Representative, and the Bluegrass Materials web site.

### **Open Door Policy/Problem Solving Procedure**

In the event you have a work related problem or a question about the Company, feel free to discuss it with your supervisor. Your supervisor always has an "open door". Usually, even the most difficult problems can be resolved through discussions between you and your supervisor. However, sound reasons for disagreement with the solution offered may exist. If this should happen, you are invited and encouraged to use the following procedure: Discuss the problem or complaint with your immediate supervisor who will cooperate with you in an attempt to reach a satisfactory solution. If you and your immediate supervisor cannot resolve your problem, you may then go to the manager immediately above your supervisor who will make every effort to resolve your problem.



Should the manager above your supervisor be unable to resolve your problem, you may contact each succeeding level of management up to the Division President

At any time in the above procedure and at any step in the above procedure, you may discuss your problem directly with the Human Resources Department.

This procedure is designed and intended to provide a forum for answering any questions that are directly related to your employment, working conditions, or the Company's policies and procedures.

### **Media and Public Contacts**

You are to direct all inquiries for information from the media or from agency outside the Company to your General Manager, who is responsible for managing public relations and public information, according to Company policy and guidelines.

## **WORKING TOGETHER**

### **Our Position Regarding Unions**

The Company is committed to a policy and practice of fairness and concern for each individual employee. We have, and intend to continue to have, good employee relations and good working conditions and benefits. We strongly believe that by being honest with each other and working together we can build a mutually successful future. We are dedicated to treating each other fairly and providing good working conditions, competitive wages and benefits, and above all, the respect that each employee deserves. We are also committed to open and direct communication, which permits the resolution of employee problems where there is mutual trust and prompt response to individual circumstances.

We do not believe that our employees would benefit from outside intervention into these relations, and, therefore, unions are not necessary or even desirable. We believe that the best interests of our employees cannot be served by third-party interference, but by honest and open communication with one another.

No company is free from occasional problems; but, when difficulties do arise, you are free to speak out by using the Open Door Policy or complaint procedure. If you have concerns about working conditions or compensation, you are strongly encouraged to voice these concerns openly and directly to your supervisor or your Human Resource Representative.

## **Your Work Hours/Reporting Your Absence**

Schedules are determined by the needs of our customers. Your supervisor or other personnel designated by your supervisor will assign your work hours to you on your first day, if not prior to employment. Your supervisor will also communicate any changes in your schedule.

You are expected to be at work at your assigned time of arrival, ready and able to work. It is your responsibility to inform your supervisor before the start of the work period if unable to report to work. You are responsible for getting in touch with your supervisor to inform your supervisor of the absence and the reason for the absence. Failure to do so may result in disciplinary action including termination.

Employees who do not report to work or call to speak to his/her supervisor regarding the absence for three (3) consecutive days will be considered to have voluntarily resigned and will forfeit all benefits at that time.

Personal business should be arranged outside of regular work hours, if at all possible. If it is not possible to arrange personal business at a time outside of work hours, refer to the Leaves section or talk with your supervisor to find out the procedures and requirements which must be followed in order to request time off work

## **Suggestions**

As employees of Bluegrass, you have the opportunity to contribute to your future success and growth by submitting suggestions to the Company for improvements. All employees are eligible to participate in the suggestion program.

A suggestion is an idea that will benefit the Company by solving a problem, reducing costs, improving a process or procedure, enhancing customer service, eliminating waste or making the Company a better, safer, or more environmentally friendly place to work. Statements of problems without accompanying solutions, or recommendations concerning co-workers and management are not appropriate suggestions. Please refer to your location's suggestion program policy for further details of the program.

## **Smoking/Non-Smoking**

We believe employees have a right to a smoke-free workplace. Therefore, smoking is not permitted in any Company offices, shops or other indoor work areas. You are required to abide by all "No Smoking" signs that may be posted throughout your work area.

You are expected to comply with all Federal, State, and local laws regulating smoking, in addition to all safety regulations as it applies to smoking. Please consult with your supervisor regarding the Smoking/Non-Smoking procedures in your particular work area and facility.

## **VIOLENCE IN THE WORKPLACE PREVENTION POLICY**

Bluegrass is committed to providing you with a work environment that is safe, secure and free of harassment, threats, intimidation and violence.

Bluegrass Materials cannot tolerate violence. If you engage in any violence in the workplace, or threaten violence in the workplace, your employment may be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.

Prohibited workplace violence includes, but is not limited to, the following:

- All threats or acts of violence occurring on Company property, regardless of the relationship between the Company and the individual involved in the incident.
- All threats or acts of violence not occurring on Company property, but involving someone who is acting in the capacity of a representative of Bluegrass Materials.
- All threats or acts of violence not occurring on Company property, but involving an employee of Bluegrass Materials if the threats or acts of violence affect the legitimate interests of the Company.
- Any threats or acts of violence resulting in the conviction of an employee, or of an individual performing services on the Company's behalf on a contract or temporary basis, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests of the Company.

### **Application of Policy**

The Company's prohibition against threats and acts of violence applies to all persons involved in Company operations and business, including, but not limited to, directors, officers, employees, contract and temporary workers, vendors, suppliers, subcontractors, customers, customer representatives and anyone else on Company property. Violations of this policy by any individual will be subject to disciplinary action, as appropriate. Violation of this policy by a Company employee will lead to disciplinary action including termination, in accordance with the applicable law, Company rule or collective bargaining agreement (where applicable).

### **Reporting Threats or Acts of Violence**

Each employee of Bluegrass Materials and every person on Company property are required to report incidents of threats or acts of physical violence of which he or she is aware. In cases where the reporting individual is not a Company employee, the report should be made to the Human Resource Department.

In cases where the reporting individual is a Company employee, the report should be made to the reporting individual's immediate supervisor or a management level supervisory employee if the immediate supervisor is not available.

## **PERSONAL APPEARANCE**

Employees are expected to wear clothes that are suitable for their position and type of work and for conducting business with our customers. Safety rules must be followed at all times; therefore, jewelry, buttons, loose-sleeve clothing etc. that possibly interferes with the safe performance of your job is prohibited. Please check with your supervisor to learn if there is a specific policy for your position or location.

## **DISCIPLINARY PROCESS**

The purpose of this policy is to state Bluegrass Material's position on administering equitable, fair and consistent discipline for unsatisfactory conduct or work performance in the workplace. It is every employee's responsibility to know and follow all Company policies, procedures, federal, state and local regulations.

The Company's best interest is to ensure fair treatment of all employees and ensure that appropriate disciplinary actions are prompt, consistent and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence and prepare the employee for satisfactory service in the future.

Disciplinary action may be a verbal warning, written warning, suspension with or without pay or termination of employment — depending on the severity of the problem and/or the number of occurrences. There may be circumstances when one or more steps are bypassed, leading to a more severe consequence, including immediate termination.

## **COMMUNICATION SYSTEMS**

You will have access to the communication systems and information associated with your job. These communications, communication systems and information stored, transmitted, received or contained in the Company's communication systems are Company property. The Company is responsible for its communications and must monitor communications, communication systems and information to ensure compliance with all requirements. Although limited personal use of the telephone system, fax, e-mail and the Internet is acceptable, you do not have a right to privacy when using the Company's communication systems and should avoid private personal communications (i.e. blogging, "tweeting", and other social networking such as Facebook and MySpace) during work hours.

All messages, files, recordings and other information stored or transmitted by Company systems are Company records and may be subject to disclosure to law enforcement or government officials or to other third parties through discovery, subpoena or other process. The content of some communications such as e-mail or cell phone calls can be intercepted and may be made public. Always transmit information by approved methods and use good security procedures. Never communicate information, statements or opinions that are libelous, slanderous, defamatory, discriminatory, offensive, pornographic, inflammatory, threatening or harassing. You should only access information that your supervisor has authorized you to know. Never access the information of others, alter sent or received e-mail or any other communications sent from or received in the workplace. Ensure that the information in

your communications is accurate, appropriate, lawful and protected from unauthorized use.

## **PHONE PROCEDURES**

### **Personal Phone Calls**

Although the Company realizes that there are times when an employee may need to use the telephone for personal reasons, it is expected that good judgment will be used in limiting the length and frequency of such calls. Overuse is discouraged and may result in disciplinary action.

### **Cellular Phone Use Policy**

This policy outlines the use of personal cell phones at work and the safe use of cell phones by employees while driving.

The use of personal cell phones in the work area is discouraged because it can divert attention from critical production and safety requirements.

If your job responsibilities include regular or occasional driving and you are issued a cell phone for business use, you are expected to refrain from using your phone while driving, or use a hands-free set for necessary use. Safety must come before all other concerns.

Regardless of the circumstances, including slow or stopped traffic, you are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call.

Cellular phones will not be used while a delivery or service vehicle is in motion or while operating heavy, mobile equipment.

Employees, who are charged with traffic violations resulting from the use of their phone while driving, will be solely responsible for all liabilities that result from such actions. Employee cell phone records may be accessed as part of any post-accident investigation.

Employees who are issued Blackberry or other smartphone devices are **STRICTLY PROHIBITED** from typing email or text messages while driving.

### **Recording Devices**

The use of any recording equipment, such as cameras, recorders, etc. is prohibited on Company premises, unless approved by the Company.

## **RULES OF CONDUCT**

You are expected to act in a courteous and respectful manner towards team members, customers, suppliers, and the public. Interactions should be conducted in accordance with generally accepted standards of professional and appropriate behavior. All employees are expected to perform their job duties using the Company values at all times. The Company will not tolerate conduct that creates an intimidating, hostile or offensive working environment. We hope disciplinary action will never be necessary, but failure to comply will result in disciplinary action, including termination.

### **Unacceptable Conduct**

The Company believes there is certain conduct that should be considered grounds for strict disciplinary action, including termination. The list below is not to be considered an all-inclusive list of conduct that is unacceptable.

Examples of such conduct are:

- Stealing from the Company
- Theft of Company or customer property or other employee's personal property
- Violation of the EEO Policy
- Violation of the harassment policy
- Any conduct that results in product or service failure
- Unauthorized possession/removal/use of Company or co-worker's property
- Willful destruction of property
- Violation of safety rules or regulations
- Sleeping on the job
- Insubordination
- Abusive language
- Violation of the Company's Solicitation and Notice policy
- Misuse of time records
- Tardiness
- Absenteeism
- Refusal to work required overtime
- False or misleading statement
- Falsification of employment documents
- Violation of the Company's Drug and Alcohol Policy
- Unauthorized possession of firearms or other weapons on Company premises
- Refusal to cooperate in an investigation
- Fighting or participating in horseplay, or any other form of violence
- Leaving work site without proper notification and approval
- Failure to maintain the confidentiality of the employer or customer information
- Any other conduct that reflects negatively on the Company

## **EMERGENCY CLOSINGS**

Occasionally the Company may have to shut down the workplace due to emergency circumstances beyond our control that make it difficult or impossible to operate. An emergency closing may be for hours, for a day, or for several days, depending upon the nature of the emergency.

You are responsible for remaining aware of severe weather conditions, natural disasters, or events that could require an emergency closing, listening to local TV and radio stations for an announcement of an emergency closing, or following the designated emergency procedures as outlined in the location safety program. You will not be paid for emergency closing, but you will be allowed to take earned PTO time, if available.

If you are in doubt about reporting to work, call your supervisor for guidance.

## **ACCESS LIMITS**

Due to the Company's commitment to a safe and secure workplace, employees who need to enter Company property after work hours must receive prior approval from the site manager or the supervisor on site at the time of requested access.

Company personnel visiting a Company site should always report to the office and complete hazard training for that site. Also, upon entering the work site, you must notify the supervisor on site of your whereabouts and the intended location to be visited.

Access will only be granted on a critical business need and will be granted at management's discretion.

## **TIME AWAY FROM WORK**

### **Absences Less Than Five (5) Scheduled Workdays**

#### **Planned Absence**

You must obtain prior approval for any planned or foreseen absence from work that would take you from your work duties.

#### **Unplanned Absence**

You must notify your supervisor before the beginning of your work shift of your unplanned absence, according to local policy. If you are unable to notify your supervisor prior to the beginning of the work shift, you must notify the supervisor of your unplanned absence before the end of your work shift, stating the reason for the absence and the date you will return to work.

Absences greater than five work days you must obtain approval from your supervisor for any leave of absence from work in excess of five (5) scheduled workdays.

## **Personal Leave of Absence (PLOA)**

The Company may, at its own discretion and convenience, grant an employee an unpaid personal leave of absence up to 3 months. Personal leave of absences may be used for employee's own serious health condition, maternity leave, or the serious health condition of an immediate family member, or other situation. If you do not report to work within three (3) days of the expiration of the PLOA, you will be considered to have voluntarily resigned your position with the Company, and all benefits will cease at that time.

### **Scheduling of Personal Leave**

When leave is needed for planned events, you must work with your supervisor to schedule the leave so as not to unduly disrupt the operations of the Company. The scheduled leave should be discussed with your supervisor and both you and your supervisor will agree on a schedule that meets both the Company's and your needs.

### **Notice of Return**

If you are absent on personal leave for more than three months you must notify your supervisor seven (7) days before your return to confirm your work schedule.

### **Written Request and Approval**

A request for a personal leave of absence shall be submitted, in writing, to your supervisor at least ten (10) working days prior to the date the leave is to become effective, or where no such advance request is possible, as soon as possible. The request shall state the reason for the leave and shall state the anticipated date that you intend to return to work. No personal leave shall be considered approved unless and until approved in writing by the employee's supervisor for a specific duration and a deadline for return to work included in such approval notice.

### **Documentation**

The Company will require satisfactory documentation (completed and approved Employee Action Form) as a condition of approving any personal leave, or extension of personal leave. The Company has the right to require an employee returning from a personal leave of absence to pass a drug and alcohol screen before permitting the employee to resume his/her normal work duties.

### **Time Not Worked**

Time away from work on a personal leave of absence shall not be considered as time worked when computing benefits based on continuous employment such as PTO, sick pay accruals, longevity, or other benefits.



## **Unauthorized Work During Personal Leave of Absence**

If you are absent on approved PLOA and engage in other employment or self-employment during the leave without prior approval from the General Manager, you shall be considered as having resigned without notice, and all benefits will cease at that time.

## **Report on Employee's Status and Intent to Return to Work**

An employee on an approved personal leave of absence is required to keep the Company advised of his/her status and intent to return to work. While on leave, employees must contact their supervisor periodically and provide the employee's status and intent to return to work. An employee's failure to keep the Company advised of the employee's status and intent to return to work may be considered a resignation from employment and all benefits will cease at that time.

## **Benefits and Reinstatement Rights**

Benefits will be affected by a personal leave of absence and you must make arrangements with the Company Human Resource Department to ensure that certain eligible benefits, such as continuation of health and dental benefits will continue during their personal leave of absence. You will be responsible for payment of your portion of the benefit premiums in order to continue coverage. The status of these benefits will depend on current Company plan documents, procedures and practices at the time of the PLOA.

The Company does not guarantee that an employee's job will always be held open during a PLOA or absence away from work for five (5) days or more. Many factors, including the length of the personal leave and the business needs of the Company, will determine whether the position needs to be filled during the personal leave of absence. If business circumstances require that a position be filled during a PLOA, the Company will attempt to resolve the situation fairly when the employee returns to work.

## **Family and Medical Leave**

Family and Medical Leave (FMLA) will be granted to eligible employees who are either on a personal leave of absence, short-term disability, worker compensation leave, etc., for a maximum period of twelve (12) weeks. FMLA will be calculated using a "rolling" twelve-month period. FMLA leave runs concurrent with other leaves. If you have any questions or require additional information regarding FMLA, please contact your supervisor or your Human Resource Representative.

## **Bereavement Leave**

The Company will pay your regular rate of pay up to a maximum of two (2) working days when a death occurs in your immediate family. In the event the death occurs out of town, an additional two (2) days travel time may be granted. The leave must be taken on consecutive days and include the day of the funeral. Funeral leave will be used only

to bring an employee up to 40 hours and will not be used to determine eligibility for overtime during the pay period. Appropriate documentation is required.

Immediate family is defined as: husband, wife, children, stepchildren, grandchildren, grandmother, grandfather, brother, sister, parents, stepparents, mother-in-law and father-in-law.

### **Military Leave**

You should notify your supervisor immediately and provide a written copy of military leave orders to your supervisor prior to commencement of the leave, if possible at the time of commencement of the leave. In the case of an emergency call to duty, the supervisor will be notified by phone, and the written orders will be provided to the Employer as soon as reasonably possible. Military leave will be administered to comply with the Uniformed Services Employment and Reemployment Rights Act (USERRA). If you have any questions or need additional information about Military Leave, please contact your supervisor or your Human Resource Representative.

### **Short-Term Disability Program**

The Company provides a non-work related Short-Term Disability Program designed to assist those employees unable to work due to extended illness or disability lasting up to twenty-four (24) weeks. All employees who meet the definition of eligibility under the plan are eligible for consideration of Short Term Disability benefits as defined in the Plan Document.

### **Long-term Disability Leave**

If you remain disabled after exhausting your Short-Term disability benefits, you may be eligible for long-term disability benefits. If you meet the definition of disability, you will be paid at the rate of 40% (or 60% if the buy up was selected) of your base wages up until Social Security Normal Retirement Age. The eligibility period addresses hourly only (which has an effective date of 1st of month following 90 days). Salaried is first of month following date of hire and executives are immediate. Please refer to the Long Term Disability Plan for further details.

### **COBRA**

If you are an employee of Bluegrass Materials covered by the Company's group health plan, you have the right to choose continuation coverage if you lose your group health coverage because of a reduction of your hours of employment or the termination of your employment (for reasons other than gross misconduct). If your spouse is covered under the plan, your spouse also has certain continuation rights under certain conditions. If you and your spouse legally separate or divorce, or your child no longer qualifies as a "dependent child", you, or the affected dependent, must notify the Company in writing within 60 days of such qualifying event. This notice must be sent to the Company Health Benefits Department and must include the specific qualifying event and the date of the event. For complete information regarding COBRA please refer to your COBRA notification letter from Bluegrass

## **HIPAA**

The Health Insurance Portability and Accountability Act (HIPAA) provide rights and protections for participants and beneficiaries of group health plans. It includes protection for coverage under group health plans that limit exclusions for preexisting conditions; prohibit discrimination against you and your dependents based on your health status, and allow a special opportunity to enroll in a new plan to individuals under certain circumstances. It also provides protection of your confidential health information. For more information regarding HIPAA, please refer to your HIPAA Privacy Notice.

## **HOLIDAYS**

**The Company recognizes the following holidays:**

- New Years Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday After Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Year's Eve
- Floating Holiday (must schedule with employee's supervisor)

### **Eligibility for Holiday Pay**

Employees will be eligible for holiday pay, except Floating Holiday, immediately after date of hire. New hires will have a 90 day waiting period before the Floating Holiday may be used.

Employees must be in active status the day before a Holiday and the day after the Holiday in order to receive compensation for the Holiday, including the Floating Holiday. Additionally, employees must work their last scheduled day before and first scheduled day after the Holiday in order to receive compensation for the Holiday.

Bluegrass has chosen to include Holidays in the "hours worked" calculation towards overtime pay. The company, however, has chosen to not include Floating Holidays in the "hours worked" calculation towards overtime pay. All salaried exempt employees must submit Floating Holiday requests to his/her manager for approval.

Holiday pay will be based on an eight (8) hour day and will not be used in the calculation of overtime during the pay period the holiday is observed.

## **Work Performed on the Holiday**

If you are required to work on a recognized holiday you will receive your regular hourly rate of pay for all hours worked in addition to eight (8) hours holiday pay.

## **PTO During a Holiday**

If a holiday occurs during your PTO period, you will be paid your normal PTO pay, and your holiday pay for that particular week. For example, if the holiday occurs on Wednesday of the PTO week, you would be paid four days of PTO pay plus one day of holiday pay.

## **Worker Compensation Leave**

If you cannot work due to an on-the-job injury or illness, you will be placed on worker compensation leave. It will run concurrently with Family and Medical Leave, if you meet the eligibility requirements for FMLA.

PTO, transition sick hours, short-term disability, and long-term disability cannot be used while on worker compensation leave.

You will be responsible for making arrangements with your Personnel Services Department to pay your portion of the health benefit premium, while on worker compensation leave, to maintain your health benefits during the worker compensation leave.

Employees on worker compensation leave will be offered light duty in accordance with the Company's light duty program and the treating physician's written work restrictions, if the employee is able to perform a light duty job.

All benefit eligibility and accruals will continue while the employee is on worker compensation leave as if the employee was actually working during that time. If the employee voluntarily terminates employment or the Company terminates the employee while the employee is on worker compensation leave, all benefits will cease at the time of the termination of employment.

## **PTO**

Each full-time employee shall be granted earned PTO each year based on the employee's start date anniversary, in accordance with his/her length of continuous service on the following basis:

### **Bluegrass Materials Vacation Policy effective January 1st, 2011 is as follows:**

- Employees 1-4 service years Two weeks
- Employees 5-9 service years Three weeks
- Employees 10+ service years Four weeks

- **One Week** – Employees employed between January 1 and June 1 will receive one week of vacation for that calendar year, to be used by December 31 of the same year.
- **Two Weeks** – Employees employed after June 1 will receive two weeks of vacation at the beginning of the following calendar year. If years of credited service are between one and four at the beginning of a calendar year, two weeks are granted at the beginning of such calendar year.
- **Three Weeks** – If years of credited service are five or greater but less than 10 at any time in a calendar year, an employee is eligible for three weeks of vacation at the beginning of such calendar year. Therefore, if the fifth service anniversary is reached at any point in the year, three weeks vacation eligibility will apply for the entire year.
- **Four Weeks** – If years of credited service are 10 or greater at any time in a calendar year, an employee is eligible for four weeks of vacation at the beginning of each calendar year.

**Your supervisor, based on business production considerations, must approve all PTO requests in advance.**

1. You must have worked 6 consecutive months before your PTO can be taken. PTO pay shall be paid during the normal pay period for that week the employee is taking PTO.
2. PTO pay will not be paid in advance. PTO pay is based on a 40-hour workweek. It can be taken in less than one (1) day increments, if approved.
3. An employee cannot use PTO while on worker compensation leave. PTO is not earned during any period of unpaid absence from work unless Federal and State law dictate otherwise.
4. If you resign employment, with notice, you will receive any unused earned PTO pay at the time of your separation.

### **Jury Duty Leave**

You must notify your supervisor as soon as you learn you have been summoned for jury duty or service as a witness. You must present a copy of your summons to your supervisor in order to be eligible for jury duty pay. You will be paid at their regular rate of pay for each day, or portion thereof, you serve as a juror.

Jury duty hours will be used only to bring you up to 40 hours, and will not be used in determining eligibility for overtime during the pay period. If you are excused from duty during any day, you will be expected to report back to work for the unfinished portion of that day.

## **Reduction in Work Force**

The Company seeks to provide regular work for all employees to the extent practical.

However, due to business and economic conditions, management reserves the right to make employment decisions based on their judgment of the employee best qualified to perform the job duties and whose capabilities will best serve the needs of the Company.

Alternative cost reduction measures may be taken before resorting to staff reduction. Employees separated from employment due to staff reduction should consider their employee status as terminated. Terminated employees may periodically inquire about possible employment opportunities and submit an application when there is a job opening that they are qualified to perform.

## **SOLICITATION AND NOTICES**

To prevent influences that disrupts or distracts attention from the performance of assigned duties:

### **Employees shall not:**

- Distribute literature to other employees during working time (working time does not include breaks, lunch periods, or time before or after you are scheduled to work) or at any time in working areas
- Conduct solicitations of any kind to other employees during working time;
- Post notices (e.g., bulletin boards, electronically, etc.)
- Persons who are not employees shall not be allowed to distribute literature to, or direct or conduct solicitations toward employees on Company premises for either themselves or other organizations. Company premises include, but are not limited to: mines, plants, private roadways, parking lots, offices, electronic communications, etc.
- The posting of notices issued by and required to be posted by federal, state or local governments or the posting of notices, bulletins, etc. issued by the Company, relating to or covering its policies, practices, business operations, procedures, etc. shall not be deemed to be a violation of Company policy covering solicitations and notices
- Company bulletin boards, electronic mail, facsimile machines, and interoffice mail may not be used for purposes of solicitation, distribution or vending

## **INTERNAL INVESTIGATIONS AND SEARCHES**

From time to time, the Company may conduct internal investigations pertaining to compliance, regulatory, security, safety, auditing or work-related matters. Employees are required to cooperate fully with and assist in these investigations if requested to do so. Whenever necessary, at the Company's discretion, work areas, such as desks, lockers, file cabinets, tool boxes, work areas, etc. and personal belongings may be subject to search without notice. The Company will generally attempt to obtain your consent before conducting a search of personal belongings, but may not always be able to do so.

## **TERMINATION OF EMPLOYMENT**

If you desire to terminate your employment relationship with the Company, you are expected to notify your supervisor at least two (2) weeks in advance of your intended termination. Such notice should preferably be in writing to your supervisor. Proper notice generally allows the Company sufficient time to calculate all accrued overtime (if applicable) as well as other compensation to which you may be entitled and to include such compensation with your final pay. Without proper notice, however, you may have to wait until after the end of the next normal pay period to receive such payments.

If you plan to retire, you are expected to provide the Company with a minimum of two month's notice. This will allow ample time for processing of appropriate forms associated with your retirement to ensure that any benefits to which you may be entitled commence in a timely manner.

As mentioned elsewhere in this handbook, all employment relationships with Bluegrass are on an at will basis. Thus, although the Company hopes that our relationships with employees are mutually rewarding, the Company reserves the right to terminate the employment relationship at any time, with or without cause or notice.

### **Exit Interviews**

An employee whose employment with the Company has ended must return keys, uniforms, Company vehicles, employee handbooks, supplies and any other Company property before or at the time of the exit interview with their supervisor. At the time of termination, your supervisor (or a person designated by your supervisor) will conduct an exit interview with you. This provides you with an opportunity to receive and complete any appropriate benefit forms, to have any of your questions answered and to provide information relating to your reasons for leaving.

If you do not feel comfortable discussing some items with your supervisor, you should speak directly with the Human Resource Department.

## **BLUEGRASS MATERIALS COMPANY, LLC CODE OF ETHICS For Officers, Directors and Employees**

### **Introduction**

Bluegrass and its subsidiaries (collectively, the 'Company') is committed to adhering to the highest ethical, moral and legal standards in the conduct of its business and operations. This Code of Business Conduct and Ethics (the 'Code') has been adopted by the Board at Directors of the Company and represents the Company's policies and guidelines regarding the actions of the Company's directors, officers and employees.

This Code cannot address every situation which may arise in the course of business dealings. The Company expects its directors, officers and employees to use good judgment, high ethical standards, honesty and common sense in carrying out their duties and responsibilities to the Company.

The Company intends to enforce vigorously the provisions of this Code. Violations could lead to disciplinary action, including dismissal for cause, from the director's, officer's or employee's position with the Company, as well as possible civil and criminal liability.

### **Conflict of Interest**

Directors, officers and employees are expected to act and to make decisions that are in the best interests of the Company. Accordingly, directors, officers and employees should avoid any situations which present a conflict between the interests of the Company and their own personal interests.

A conflict of interest occurs when an individual's private interest interferes, or appears to interfere, in any way with the interests of the Company. No director, officer or employee of the Company should take any action that may make it difficult for any such individual to perform his or her duties, responsibilities and services to the Company in an objective and effective manner. No officer or employee is allowed to work for or provide services to any competitor of the Company. No officer or employee of the Company, or any member of his or her immediate family, should accept employment with, or acquire a material financial interest in, any entity doing business with the Company if the employment or interest would conflict with the individual's performance of his or her duties and responsibilities to the Company.

A conflict of interest also arises when a director, officer or employee, or any member of his or her family, receives improper personal benefits as a result of his or her position with the Company. In addition, the Company is strictly prohibited from extending any personal loans to, or guaranteeing the personal obligations of any director or officer.

Any director, officer or employee who may have a potential or apparent conflict of interest with the Company immediately should contact and provide to the Chief Executive Officer or Chief Financial Officer a written description of such actual or potential conflict of interest. Directors, officers and employees who fail to disclose all such conflicts of interest are subject to discipline, including dismissal by the Company and possible civil and criminal liability.



## **Corporate Opportunities**

Directors, officers and employees are strictly prohibited from: (i) taking for themselves or personally benefiting from, opportunities that are discovered through the use of Company property, information at his or her position with the Company, (ii) using Company property, information, or his or her position with the Company for personal gain, and (iii) competing with the Company.

Directors, officers and employees owe a duty to the Company to advance its legitimate interests when a corporate opportunity arises. If a director, officer, or employee is presented with a business opportunity from which the Company could, in the course of its business, profit, such individual must present the opportunity to the Chief Executive Officer or the Chief Financial Officer.

## **Confidentiality**

The success of the Company's business is highly dependent on maintaining the integrity of its confidential information and ensuring that such information is used only for its intended purposes. Directors, officers and employees must maintain, and not improperly use or disclose, the confidentiality of information entrusted to them by the Company and its clients, except when such disclosure is mandated by the law. Confidential Information includes all non-public information that might be useful to the Company's competitors or harmful to the Company or its customers, if disclosed.

## **Fair Dealing**

Directors, officers and employees should deal fairly with the Company's customers, suppliers and employees. They should not take unfair advantage of any person through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or any other unfair-dealing practice, whether or not such action is unlawful. Directors, officers and employees must not make a deliberate misrepresentation regarding the Company or its business operations or create or assist any person in creating a false or misleading entry in any book or business record of the Company.

## **Protection and Proper Use of the Company's Assets**

Directors, officers and employees should protect the Company's assets, including computers and related information technology assets, and ensure their efficient and effective use. Theft, loss, misuse, carelessness and waste have a direct impact on the success and profitability of the Company. The Company has acquired its assets for the Sole purpose of conducting the business and operations of the Company. The Company's assets should not be used for personal gain and may not be sold, loaned, given away, or disposed of without proper authorization by the Company. All of the Company's assets should be used only for legitimate purposes and in accordance with established Company's policies.

# Safety & Environmental

The Company is committed to providing you with a safe and healthful work environment. Your safety ultimately depends upon your commitment to performing your job each day with safety as your first priority. Your actions, and those of your fellow employees, will determine the level at which we are all able to achieve our safety goals.

The management of Bluegrass Materials is convinced that it is our moral obligation to maintain the safest workplace possible, and ensure that you will return home to your family at the end of each work shift without injury. Part of your job in doing that is the consistent compliance with the policies and procedures contained in this handbook. Please understand that violation of these policies and procedures may result in disciplinary action from your employer, termination of employment. Worse yet, it could cost you your life!

As you read through this handbook, please make sure you have a clear understanding of the policies and procedures. If you have any questions regarding anything stated in this handbook, please bring it up with your supervisor. If your supervisor cannot provide a clear answer to your question, please contact the Director of Safety for clarification.

Throughout your employment we ask you to keep one thought always in mind: No job is so important, and no task is so urgent, that we cannot take the time to perform our work safely!

## **Safety Policy Statement**

Our commitment to safety best expresses our commitment to our people. We demand high safety standards in every aspect of our operations because we believe that our employees, guests, vendors and neighbors are important. Safe production is our top priority.

We will constantly strive to have our safety program be an industry leader, but what really matters is how you perform. You are expected to learn and follow safe work procedures as well as follow all laws, regulations, and Company rules related to safety and health. You are provided the proper personal protective equipment, tools, production equipment and a safe work environment. You are responsible for the proper use and maintenance of the equipment and the area where you work. You are also expected to identify and report unsafe conditions, unsafe work practices, unsafe equipment, safety violations and report accidents and incidents related to safety and health. Should you become injured while you are working, you are covered under the Company's Insurance as it relates to the State Workers Compensation Law. You must report any job related injuries and/or illnesses to your supervisor immediately. Failure to report timely and completely is a serious failure of your obligation and may result in loss of benefits. Our success depends on you taking responsibility for safe performance. We hope you will join in our commitment to high standards and understand why we take a firm position on everyone complying with safety and health requirements.

## **YOUR RESPONSIBILITY**

As an employee of Bluegrass Materials, you are an integral part of the success of our safety program. You must be ready to take an active part and accept responsibility for your own safety and the safety of your co-workers by:

- Setting a good example for fellow employees, customers, and visitors.
- Making safety a personal issue, not a job requirement. Think Safety First!
- Reporting all unsafe conditions to your supervisor and performing diligent daily work area inspections, including mobile equipment and/or commercial vehicle inspections.
- Reporting all vehicle accidents to your supervisor as soon as they occur.
- Reporting to your supervisor any personal injury, no matter how small, before the end of your shift. Failure to comply with this policy will result in disciplinary action and may jeopardize your Workers' Compensation benefits.
- Using all personal protective equipment required for the task you are performing.
- Attending and actively participating in your plant safety, health, and environmental meetings. Ask questions, offer suggestions, and express your concerns about safety, health, and environmental protection on the job.
- Reporting to your supervisor any near miss incidents that may occur during your shift, so that preventive actions may be taken to avoid further hazards.
- Obeying all of the safety, health, and environmental rules contained in this handbook, and ensuring that your co-workers do the same.
- Correcting unsafe behaviors when you see them, not waiting until a safety meeting.

***Remember: The Best Safety Device is an Alert Employee***

### **Drivers of Company Vehicles and Vehicles for Company Business**

You must maintain a good driving record and be insurable to operate a vehicle for Company business purpose. You are expected to comply with all driving laws, regulations and policies including maintaining your driver's license with you at all times while driving a Company vehicle. You must pay any citations you receive. You must notify your supervisor immediately of any suspension, revocation, or pending action that could result in the loss of your license. Should your license be suspended, be revoked or be at risk, you are not authorized to drive for business purposes and are not eligible for any position requiring you to drive. The Company will periodically check your driving record to confirm that you are insurable under the Company's insurance program. A Company insurance card and accident reporting forms are required in any Company vehicle you operate. If you are involved in an accident, no matter how small, you must immediately report the accident to the appropriate insurance office, according to the

instructions on the Company insurance card, and to your supervisor. Automobile accident reports must be completed and forwarded to the Safety Department. You are required to participate in any investigation and promptly report any citations issued to you as a result of the accident.

## **Drug and Alcohol Policy Drug and Alcohol Policy**

As part of its commitment to the safety, health, and welfare of its employees, it is the policy of Bluegrass Materials to maintain a Drug Free Workplace. There are several aspects to this program:

- The Company will provide training and education on the subject of drug and alcohol abuse.
- The Company will provide an Employee Assistance Program (EAP) for those employees who come forward and seek assistance with substance abuse issues. This assistance must be requested 12 hours prior to the employee being required to submit a sample under any of the circumstances listed below.
- The Company will conduct drug and alcohol testing to include, but not limited to:
  - Pre-employment
  - Post-vehicular accident
  - Post on-the-job injury
  - Post-rehabilitation
  - Commercial Driver's License (CDL) Random (CDL holders)
  - Discretionary/Random
  - Reasonable Suspicion
- Employees terminated for violation of this policy will not be eligible for rehire within any division of Bluegrass Materials.

## **Summary of Drug and Alcohol Testing Program**

- Pre-employment – A candidate for employment must pass a pre-employment drug screen before commencing work.
- Post-vehicular Accident – An employee will be sent for a drug and alcohol test following any vehicular accident in which
  - He or she is assessed points under the Vehicle Accident Classification Policy.
  - The accident involves a member of the public and/or is reportable under regulations of the U.S. Department of Transportation (DOT), whether or not the employee is at fault.

- Post On-The-Job Injury – An employee will be tested for drugs and alcohol following any injury requiring off-site medical treatment. A positive test may jeopardize the employee's Workers' Compensation benefits.
- CDL Random – An employee whose job requires a Commercial Driver's License (CDL) will be subject to random testing in accordance with DOT regulations.
- Discretionary/Random – There are two components to discretionary drug and alcohol testing within Bluegrass Materials :
  - Random Site Testing – At any time, based upon the Company-wide site-testing program, a site may be selected for random testing, and all Bluegrass Materials employees and contractors on that site will be tested.
  - Random Individual Testing – The Region will also utilize random testing of its employees. The Human Resources Manager will generate a list of names monthly, and those employees will be sent for random testing for drug and alcohol abuse.
- Reasonable Suspicion – If a supervisor has independent reason to believe that an employee is under the influence of drugs or alcohol, the supervisor may require the employee to submit to a reasonable suspicion drug and/or alcohol test, after consultation with the Safety Manager and Human Resources Manager.

An employee may be suspended until the results of any of the above tests are available. If the test results are negative, the employee will be reimbursed for any work time missed, up to a maximum of eight hours per shift.

Any positive reading on a drug or alcohol test will be grounds for immediate termination. For purposes of enforcing this policy, submitting an adulterated sample, or refusing to submit a sample for a test, will be considered the same as a positive test.

Limits for enforcement of the alcohol testing policy shall be the same as for the U.S. Department of Transportation. Any employee testing above a 0.04 blood alcohol content will be terminated. Blood alcohol content between 0.02 and 0.0399 shall result in the employee being taken off duty without pay until the next shift, provided at least 24 hours have elapsed. This employee will then be subject to individual follow-up testing on an on-going and random basis.

---

## **LOCKOUT / TAGOUT ZERO TOLERANCE POLICY**

---

In accordance with the policy of Bluegrass Materials, all Bluegrass Materials facilities shall maintain Lockout / Tagout procedures for all energized equipment. Employees shall be trained on the Lockout / Tagout procedures upon employment and annually thereafter.

Violation of the Lockout / Tagout procedures is subject to disciplinary action up to and including termination of employment. When a violation of the Lockout / Tagout procedure is believed to have occurred, the individuals involved will be suspended. An investigation will be conducted and the results reported to management. After a review of the facts, and with consideration of any mitigating circumstances, disciplinary action will be taken, as appropriate.

The Company shall have “Zero Tolerance” whenever a Bluegrass Materials employee is found to have knowingly violated, or if a supervisor or manager, knowingly allowed a violation of Lockout / Tagout procedures; in such case the disciplinary action will be termination.

---

### **SEATBELT COMPLIANCE POLICY**

---

Seatbelt use in Company vehicles must be adhered to at all times. Failure to comply with this requirement will result in time off (minimum of two days including the day of the infraction), and termination of employment for subsequent infractions. No more than two steps of progressive discipline may be used prior to termination for repeated violations. Company vehicles include, but are not limited to, all delivery, transport, and utility trucks (including concrete mixers, tankers, and dump trucks); pickup trucks, cars, heavy mobile equipment, skid-steer loaders, forklifts, and process equipment that is equipped with seatbelts.

---

### **CELLULAR TELEPHONE POLICY**

---

The following policy applies to all operations, maintenance, and administrative activities of Bluegrass Materials

The use of a personal cellular telephone while operating Company vehicles or equipment is prohibited. If an employee needs to be contacted in case of an emergency, each plant should have emergency contact procedures, or the individual may carry a personal pager.

Under no circumstances shall a person operate a vehicle or piece of heavy equipment while using a cellular telephone. Likewise, no production or maintenance personnel shall use a personal cellular telephone during work hours, except during authorized breaks. Violations of this policy will be considered grounds for disciplinary action up to and including discharge, in the case of repeat offenses.

This policy does not apply to the possession and/or use of Company cellular telephones. However, no cellular telephone of any kind shall be used while operating heavy equipment. In addition, no person shall talk on a cellular telephone while standing outside a vehicle in an area where heavy equipment is operating.

The primary reason for this policy is to protect the safety and welfare of our employees. If situations exist where cellular telephones may address a safety concern, exceptions to this policy may be recommended by the site manager/supervisor and approved by the Safety Director. In such instances, the Company will provide communications devices (radio, cellular telephone, etc.) and will closely monitor their use.

---

## **NO SMOKING Policy**

---

It is the policy of Bluegrass Materials that smoking of any kind shall not be allowed inside Company offices or vehicles. This includes scale houses, mobile equipment operators' cabs, fixed plant control rooms, employee facilities, and general offices.

---

## **FALL PROTECTION Policy**

---

Any Bluegrass Materials employee who is working with his or her feet four feet or more above the landing surface, or when there is a danger of falling, whether the surface be the ground or a work platform, must wear a safety harness attached to a secured lanyard long enough to prevent contact with the ground or the work platform below in case of a fall. This policy applies to all work being performed on fixed or mobile equipment. If circumstances in the field prohibit adequate fall protection from being used during mobile equipment maintenance, a supervisor must evaluate the specific hazard and explicitly approve the work to be done without fall protection.

If an employee is protected from a fall to a lower level by a handrail meeting OSHA/MSHA specifications, fall protection is not required. However, fall protection is required whenever an employee is working from a man-lift or man-basket, even if equipped with handrails.

---

## **SAFETY, HEALTH, AND ENVIRONMENTAL RULES**

---

The following rules have been established as part of the priority of Bluegrass Materials Company, for providing a safe and healthy workplace and for protecting the environment. These rules are equal to or possibly may exceed requirements of the federal or state safety and health or environmental protection agencies (MSHA, OSHA, DOT, EPA). We emphasize that these rules are for your safety. Employees are expected as a condition of their employment to comply with the rules that apply to their work activities. Additional rules may be applicable to special situations and activities. These rules are subject to change at any time without prior notice.

### **Coming to Work**

- Report to work physically and mentally prepared to perform your job. Working under the influence of alcohol or controlled substances, regardless of when consumed, is strictly prohibited.
- Do not bring firearms, ammunition, or other weapons onto Bluegrass Materials property.

## **Visitors, Vendors, Customers, and Neighbors**

- Report the presence of unauthorized persons, or vehicles, to your supervisor.
- Visitors, contractors, customers, vendors, and neighbors are subject to safety rules established by the company.
- Visitors must report to the office and receive hazard training according to the guidelines established by MSHA and the operation, prior to entering the operation.

## **Personal Protective Equipment (PPE)**

- Wear a Company-approved hardhat and safety glasses at all times throughout the plant. All persons on Bluegrass Materials property, including customers and truckers who leave their vehicles while on the premises, must wear hardhats and safety glasses anytime they are not in their vehicles or in an office, break room, or restroom. Hardhats and safety glasses must meet ANSI standards.
- Wear Company-approved safety shoes at all times throughout the plant. Safety shoes must meet ANSI standards. Employees will be reimbursed up to \$150.00 for one pair of approved safety boots per year.
- Wear Company-approved high visibility clothing, such as brightly colored and reflective safety vests, jackets, or shirts, at all times when on foot outside of buildings or vehicles. High visibility vests are not required for mechanics when working on mobile equipment, or for persons engaged in activities where the vest may create a hazard.
- Wear hearing protection (ear plugs or ear muffs) in posted areas and while performing designated tasks.
- Wear a respirator in posted areas and while performing designated tasks. Be sure you have been "fit-tested" for the type of respirator to be worn. [Filtering face piece respirators ("dust masks") do not require fit testing.]
- Wear approved chemical splash goggles when steam cleaning, high-pressure water washing, or when handling liquid chemicals.
- Wear approved protective gloves when handling liquid chemicals or objects with rough surfaces or sharp edges.
- Wear a safety harness and lifeline when working at elevations above four feet in unguarded areas. Maintain three-point contact when climbing. (Refer to Fall Protection Policy.)
- When exposed to any water hazard three feet deep or deeper, wear a personal flotation device (PFD/life jacket).

## **Clothing and Hair**

- Wear snug-fitting clothing. Torn sleeves, key chains, rings, etc., which can be caught in machinery are not acceptable. Shorts are not allowed. Hair worn touching the shoulder, or longer, must be tied back and secured.



## **Barricading and Guarding**

- Barricade or guard an unsafe condition immediately. Do not leave an unsafe condition unguarded or unmarked, even temporarily.
- Mark temporary obstructions of roadways with a flagger, flares, or other appropriate warning devices. Do this prior to obstructing the roadway or as soon as possible afterward when the obstruction is unplanned.

## **Reporting**

- Report unsafe conditions and any mechanical or electrical defects immediately to your supervisor. Delayed reporting is inexcusable.
- Report any personal injury, however minor, immediately to your supervisor or site manager. Prompt reporting protects you and the Company.
- Report any “near miss” incident—an event that could have resulted in an occupational exposure, injury, or fatality, but did not. Property damage may or may not occur—immediately to your supervisor and/or Bluegrass Materials site management.

## **General Conduct**

- Take all necessary, reasonable precautions to ensure your own personal safety and health, as well as that of other workers on the jobsite.
- Walk, watch your step, and keep a firm footing and balance at all times. Use the three-point contact method when climbing.
- Avoid horseplay and practical jokes that could result in personal injury or property damage.
- Lift with your legs—set your feet firmly, bend your knees, keep your back straight, and do not twist your body. If the load is too heavy, get help.
- Keep hands and feet clear of pinch points.
- Stand and work away from suspended loads. Use tag lines to avoid touching suspended loads. Avoid the danger zone under objects that can fall, under moving equipment, etc.
- Do not walk onto stockpiles or enter feeder bins, hoppers, or silos from which material may be drawn out at the bottom. Follow confined space entry procedures.
- Use the right tool for the task at hand, and use it properly. Grind the burr off any mushroom-headed tools.
- Inspect every portable ladder before using it. Be sure it is properly positioned and secure at the top and bottom, and that it is equipped with safety shoes. Remove from service a ladder that is broken or shows signs of fatigue.
- Place all materials, tools, etc., in a secure position so they cannot fall and become a hazard.

## **Welding and Cutting**

- Post a warning, and barricade, any welding work being done overhead if personnel below may be endangered.
- Avoid looking at a welding arc without wearing a welding hood. Use a curtain or shield to protect other employees from flash burns. Wear approved cutting goggles when cutting with an oxyacetylene torch (safety glasses alone are insufficient). Wear gloves and use only an approved striker to light a torch. Wear appropriate protective clothing when welding.
- Keep compressed gas cylinders in an upright position and securely fastened at all times. All cylinders not in use must be closed. Stored cylinders, whether empty or full, must be closed and capped. When cylinders are transported, gauges must be removed and cylinders capped, unless protected by a guard.
- Do not use compressed air or other compressed gas for dusting off clothing.

## **Lockout / Tagout**

- When inspecting or repairing any piece of moving machinery, follow these Lockout / Tagout procedures:
  - All guards shall remain in place until the machinery has stopped.
  - Once stopped, the power is cut off at the main power supply, and locked out and tagged with name by each person performing work on the machinery.
  - Equipment is tested to ensure that the power supply has been disconnected and all forms of residual energy have been relieved.
  - Once lockout is ensured, guards may be removed and repair work begun.
  - All machine guards shall be secured in place before removing padlocks and re-energizing machinery, except as otherwise specifically authorized by the site/plant manager or his authorized representative for testing purposes only.
  - Only the persons who installed them and whose name is on the tag should remove safety locks.
- Lock out and tag the power supply before greasing machinery and equipment, unless it is equipped with safely located extended lubrication fittings. Each employee working on a piece of equipment is required to put his or her individual lock on the power supply lockout.
- Block mechanical linkages and reduce pressure in hydraulic lines before working on non-electric equipment.

## **Electrical**

- When operating electrical switches, keep the switch panel front closed. Stand to the right side of the panel and turn your face away as you pull the handle with your left hand.
- Be sure all electrical devices, power tools, outlets, etc., are properly grounded.
- Only a qualified electrician is allowed to perform work on transformers and inside switchboxes.

## Housekeeping

- Keep your work area clean and free of loose objects, stumbling hazards, etc. Clean up oil spills immediately and dispose of the waste correctly.

## Mobile Equipment and Commercial Trucks

- Prior to operating any mobile equipment or commercial truck on Bluegrass Materials property, make a thorough walk-around inspection of the equipment, fill out a Daily Equipment Report (for heavy mobile equipment) or Driver's Inspection Report (for commercial trucks), and report any deficiencies immediately to your supervisor. Equipment found to have defects that affect safety must not be put into service until the defects have been corrected. Blow the horn, and then wait 10 seconds before moving the equipment.
- Before entering the vehicle's cab, walk the "Circle of Safety" going all the way around the vehicle to ensure that no personnel, tools, equipment, or vehicles are under or near the vehicle.
- Wear seat belts when operating or riding in any motor vehicle or mobile equipment that is equipped with seat belts.
- Check the fire extinguisher on mobile equipment daily.
- Operate vehicles and mobile equipment in gear, not in neutral or with the clutch disengaged.
- Operate motor vehicles and mobile equipment at safe speeds. Unless posted otherwise, the speed limit throughout plant areas is 15 MPH (5 MPH at concrete plants). Obey all safety rules and traffic control signs. Heavy mobile equipment has the right-of-way. If another vehicle is larger than yours, yield.
- When parking mobile equipment, set the parking brake, properly chock the wheels or tracks, and lower the blade or bucket, when applicable.
- Operate dump-bed trucks only with the bed lowered and secured.
- Do not ride in or on vehicles not equipped for carrying passengers, nor allow others to do so. Beds of pickup trucks are not designed for carrying personnel.
- Avoid backing a vehicle, except at a stockpile for loading, and then only with caution. Use a spotter whenever possible.
- Avoid traveling, either in a vehicle or on foot, into the blind spot of any mobile equipment.
- Avoid driving under raised equipment (loader buckets, crane booms, etc.).
- Operate loaded over-the-road dump trucks with a tarp secured over the load.

## Cranes and Lifting

- Do not attempt to operate any cranes or hoists unless you have been fully trained and certified to operate such equipment.
- Do not exceed the lifting or carrying capacity of equipment.

- Use lifting hooks equipped with safety latches. Report any broken safety latches to your supervisor and tag the hook out of service.
- When cranes or hoists are being used to lift heavy objects, stay clear of the load in the event it should fall.
- Before using a manlift, ensure that fall protection (harness and lifeline) is in place, and then use it. (See Fall Protection Policy.)
- Cranes used to lift personnel in man baskets must be equipped with a working anti-two-block device.
- Follow pre-operation safety checks of lift equipment before using it. This includes overhead cranes, hoists, etc.
- Do not work on top of, under, or work from mobile equipment, or components of mobile equipment, in a raised position until the equipment has been blocked or mechanically secured to prevent it from turning, rolling, or falling accidentally.

### **Fire Prevention**

- Do not smoke or carry open flames near fuel storage or vehicle refueling areas, or similarly posted areas.
- Check fire extinguishers installed in buildings monthly.
- Report immediately to your supervisor any fire extinguisher observed to be discharged, defective, or otherwise not serviceable.
- Store and transport flammable liquids only in approved safety cans.
- Use only approved solvents for cleaning. Gasoline and diesel fuel are not approved cleaners.

### **Hazard Communications**

- Understand the potential hazards of any chemicals you may use or be exposed to on the job.
- Review product labels or Material Safety Data Sheets (MSDSs) available in the plant office.
- Ensure that any container you use is labeled as to its contents unless you have filled and emptied the container yourself. If you leave a partially full container it must be labeled.

### **Personal Involvement**

- Attend and take an active part in scheduled safety, health, and environmental meetings. Ask questions, offer suggestions, and express your concerns about safety and health and environmental protection on the job.

## **ENVIRONMENTAL POLICY**

Bluegrass Materials has a responsibility to be a good neighbor and be a good environmental steward while meeting the need for quality construction materials. The Company is committed to operating in an environmentally responsible manner, complying with legal requirements, minimizing any potential adverse impacts on our neighbors, and continuously improving performance. Bluegrass Materials will use Environmental Management Best Practices and reach out to our communities to ensure that we meet our commitments.

### **Environmental Protection**

- Make every effort to avoid spilling fuel, oil, or other chemicals on the ground.
- Report immediately to your supervisor and/or Bluegrass Materials site management any leaking containers or spills of liquid chemicals. Report what is leaking or spilled, where it is, and approximately how much has leaked or spilled from the container(s).
- Contain a leak or spill. Use spill kits. Stop the flow at the source, cover drains, patch holes, and use a dike, absorbent materials, repairs, channeling, empty containers, etc., as necessary. Place the absorbent-liquid mixture into an EPA-approved container for proper disposal.
- After cleaning up a chemical leak or spill, decontaminate clothing and equipment as necessary.
- Evacuate a spill area unless you are involved in cleanup.
- Collect information for required records: What materials were used to contain the spill? Who did what when?
- Obtain a medical examination if exposed to potentially hazardous chemicals.
- Check the liquid level of tanks before filling them, to avoid overflow.
- Do not leave oil pumps and dispensers unattended while in operation.
- Check tankers for leaks before, during, and after delivery to ensure proper connections and disconnections have been made.
- Dispose of any fluids and filters properly. The job is not complete until fluids and filters are put in their proper places, i.e., used oil tank, used antifreeze tank, etc.
- Do not burn openly. Immediately extinguish any fires.
- Clean up and properly dispose of all waste materials and empty containers generated by and during work.
- Sandblast only with materials that are free of lead or other hazardous materials. Check the label or Material Safety Data Sheet (MSDS) to verify contents.
- Ensure all pollution prevention equipment is operational and utilized.
- Utilize recycling facilities to the maximum extent possible.

Your continued employment is dependent upon your willingness to work safely. You must follow these rules. Believe in and insist on safety!

### **Accident and Injury Reporting**

Remember, it is Bluegrass Materials policy, and YOUR OBLIGATION to report to your supervisor any personal injury regardless of how slight it may be OR whether it requires immediate medical treatment on the same day that the incident/accident occurs.

Failure to report an injury before the end of your shift may jeopardize your Workers' Compensation benefits.

Any vehicular accident in which you are involved must be reported to your supervisor before the end of your shift. Failure to report an accident is a disciplinary offense.

### **Light Duty / Return to Work Policy**

If you are injured on the job, you should understand that the company's goals are the same as yours—to get you treatment, get you healthy, and get you back to your regular job as soon as possible, and with the minimum financial burden or loss of pay.

If you are injured on the job, you are guaranteed 8 hours pay for the day of the injury. All subsequent doctor's visits and therapy should be made after your regular work hours.

After treatment, the doctor will give you a work status. You should return to your workplace and discuss this with your supervisor to determine how it may impact your job.

### **What if I have Work Restrictions?**

- If the treating physician places limitations on your ability to work, i.e., work restrictions, the company will provide Light Duty work for you to maintain your income until you are released to full duty.
- During the time you are on Light or Restricted Duty, you will be limited to 40 hours per week. This is to allow time for follow-up visits and therapy after your work schedule.
- If you have a problem with the Light Duty work you have been assigned, you should contact the Safety Manager. However, as long as work is within your restrictions, you are expected to perform the task(s).
- If there is work available, which you can do within your restrictions, it is not optional. Failure to report for Light Duty work is a work rule violation and subject to disciplinary action up to and including termination.
- If your injury is such that you cannot drive, and are unable to arrange transportation, the company will arrange for transportation to and from your workplace.
- The Light Duty / Return to Work program is designed to minimize the financial impact to you, while ensuring that you obtain appropriate medical treatment for your injury.

---

## SAFETY AND HEALTH DEFINITIONS

---

- Recordable Injury – An injury that qualifies as “recordable” under OSHA guidelines (see Recordable Injury Checklist below). This includes injuries classified as “reportable” by MSHA, but for company purposes, the OSHA criteria are used.
- Vehicular Accident – Any occurrence where a motor vehicle or any type (cars, pickup trucks, maintenance trucks, concrete mixer trucks, cement tankers, off-road heavy mobile equipment, etc.) comes in contact with something causing damage.
- Chargeable Accident – Any vehicular accident where the driver/operator is determined to be in error, either Contributory, Primary, or Extreme.
- Property Damage – An accident that results in physical damage to property, from either a vehicle accident or fixed equipment accident.
- First Aid Treatment Injury – Any injury meeting the criteria on the checklist below. Note: First Aid Treatment may be given off-site (i.e., at a medical clinic hospital, etc.) as long as it meetings the criteria below.
- Near Miss Incident – A safety or health incident that could have resulted in an occupational exposure, injury, or fatality, but did not. Property damage may or may not be involved.

## BLUEGRASS MATERIALS COMPANY, LLC

### Employee Handbook Receipt

I have received a copy of Bluegrass Materials' Employee Handbook. I understand the information contained in it, and I have been given an opportunity to ask questions and clarify any areas of the Employee Handbook with my supervisor or another representative of the Company. I fully understand the procedures governing my employment with the Company and I agree that I will comply with these procedures.

I realize that the Company's security, e-mail, voice mail and other communication systems may be recorded and stored for management use. I understand that any violation of this policy could lead to my dismissal from employment or even criminal prosecution.

I understand that the Employee Handbook is not a contract of employment, express or implied, between the Company and me, and that I should not view it as a contract of employment and that all employment at Bluegrass Materials is at will.

I understand that the Employee Handbook takes precedence over, supersedes and revokes any previous memo, bulletin, e-mail, policy or procedures issued by the Company on any subject discussed in this Handbook. I also understand and agree that the Company reserves the right to change or alter the Employee Handbook procedures, at any time, with or without notice.

I also understand and agree that my employment is for no definite period of time, and may, regardless of the time and manner of payment of my wages or salary, be terminated at any time by the Company or by me, with or without cause and without any previous notice.

I also understand that no representative of the Company, other than the Chief Executive Officer, has authority to enter into an agreement with me for employment for any specified period of time or to make any agreement with me contrary to the foregoing.

Employee Signature: \_\_\_\_\_

Employee Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

This receipt will be filed in the employee's personnel file.