



**UTILITY CONTRACTORS OF AMERICA, INC**

5805 CR 7700  
Lubbock, Texas 79424

**EMPLOYEE PACKET**





# UTILITY CONTRACTORS OF AMERICA, INC.

5805 CR 7700, Lubbock, TX 79424

(806) 863-2642, Fax # (806) 863-4132

## Equal Employment Opportunity Policy

Utility Contractors of America, Inc. is an equal opportunity employer and maintains a work environment free from unlawful discrimination.

It is the policy of this company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training.

All employees are encouraged to refer minority and female recruits for employment whenever hiring opportunities are available.

All employees are encouraged to request information on available training programs and the entrance requirements for each.

Any complaint of alleged discrimination by this company, its supervisors or employees, or any person or organization acting on behalf of this company should be reported immediately by following the company's complaint guidelines. The company will promptly investigate all complaints of alleged discrimination and will attempt to resolve such complaints. If investigation shows the complaint to be well founded, prompt and effective remedial action will be taken. The company assures that the complainant shall be protected from any form of retaliatory action.

Complaints may also be filed with the following agencies:

Equal Employment Opportunity Commission (EEOC)  
(800) 669-4000

Texas Workforce Commission-Civil Rights Division (TWC-CRD)  
(888) 452-4778

\_\_\_\_\_  
EEO Officer Signature

\_\_\_\_\_  
President/CEO Signature

Address: 5805 CR 7700, Lubbock, TX 79424

Telephone: 806-863-2642



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## Política para La Igualdad de Oportunidades en el Empleo

Utilidad de contratistas de América, Inc. es una empresa que da igualdad de oportunidades en el empleo y mantiene un ambiente laboral libre de discriminación ilegal.

Es la política de esta empresa que los solicitantes de empleo y los empleados, durante su periodo de empleo, serán tratados sin considerar su raza, religión, color, origen nacional, edad, sexo, o discapacidad. Tal acción incluirá: empleo, ascenso, descenso o traslado; reclutamiento o anuncios de reclutamiento; despido o terminación; nivel de sueldo u otras formas de compensación; y selección para entrenamiento como aprendiz, pre-aprendiz, y/o capacitación en el puesto de trabajo.

Todos los empleados actuales están motivados a reclutar a minorías o mujeres cuando hay oportunidad de llenar un puesto.

Todos los empleados están motivados a pedir información sobre programas adicionales de capacitación laboral y los requisitos para tales programas.

Cualquier queja de discriminación alegada por parte de esta empresa, sus supervisores o empleados, o cualquier persona u organización actuando por parte de empresa debe estar reportada por inmediato siguiendo las pautas para reportar quejas de la empresa. La empresa investigara por inmediato todas las quejas alegadas de discriminación y hará un esfuerzo para resolver tales quejas. Si una investigación muestra que la queja es válida, acciones inmediatas, correctivas y efectivas estarán tomadas. La empresa asegura que reporta la queja será protegido de cualquier forma de acción de represalia.

También se pueden presentar quejas con las agencias siguientes:

La Comisión para la Igualdad de Oportunidades en el Empleo  
Equal Employment Opportunity Commission (EEOC)  
(800) 669-4000

La Comisión de la Fuerza Laboral de Texas – División de Derechos Civiles  
Texas Workforce Commission – Civil Rights Division (TWC-DCA)  
(888) 452-4778

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Firma del Encargado de EEO

\_\_\_\_\_  
Firma del Presidente/Director General

Dirección: 5805 CR 7700, Lubbock, TX 79424

Teléfono: 806-863-2642

## DUTIES AND RESPONSIBILITIES

The success of any safety program depends upon a number of factors. The company, upper management, safety director, supervisors, and employees must assume a degree of responsibility for the success of the program. Each segment of the company has the responsibility of assuring the success of the program. The attitude of all parties is very important to the success of the program.

### COMPANY

The company has the duty and responsibility to provide a safe place to work that is free of recognized hazards. The company has the duty to provide the tools, training, and enforcement of established safety rules and recommendations.

### MANAGEMENT

Management has the duty and responsibility of supporting the company's safety and loss control program and the company Safety Director. This should be accomplished by active support of the safety program, active support of those individuals responsible for safety, and by example. Supervisors must create a positive safety attitude at their locations. Management must insure a communication system exists that enables employees to freely discuss safety and health problems.

### LOSS CONTROL DIRECTOR/COORDINATOR

The appointed company Safety Director has the duty and responsibility to oversee the company's corporate safety program, to make certain that each location has needed safety material, and that corporate safety policy is followed. To accomplish this task the Safety Director should review all Supervisor's Accident Investigation Reports, provide training to supervisors, and periodically visit each of the company's locations. The communication system that enables employees to freely discuss safety and health problems is a vital part of the program. The Safety Director will be the information source on safety and health issues and will encourage all employees to communicate their safety and health concerns freely.

### SUPERVISORS

Each supervisor has the duty and responsibility of being aware of corporate safety rules and regulations, of actively supervising those employees working under the supervisor, and seeing to it that employees perform their assigned tasks in a safe and proper manner. The supervisor has the responsibility to make certain that their employees have needed personal protective safety equipment and that such equipment is used by employees when required. The supervisor is responsible to see that any injured employee receives prompt first aid and that such injuries are reported to management. The supervisor has the responsibility to investigate all employee accidents, of those employees working under the supervisor. The supervisor has the duty and responsibility to make certain that employees are properly trained in their assigned work task, that the employee is aware of hazards associated with the task, and that unsafe conditions and acts are not allowed to exist or continue. Each supervisor will encourage all employees to freely discuss their safety and health problems and respond to their questions.



## CORPORATE DRUG POLICY

The use of illegal drugs, excessive use of alcohol, and the misuse of prescription drugs has been the cause of many accidents in the workplace. This misuse of drugs not only places the employee at risk, but also places the employees' co-workers at risk. It is the policy of this company to provide a drug free work environment.

### DUTIES OF MANAGEMENT

- (1) Location management shall require all prospective employees to submit to a drug test as a condition of employment.
- (2) No prospective employee shall be denied employment based upon the positive results of an initial drug test. When a prospective employee's drug test indicates a positive result, the prospective employee shall be informed of the results and be given the opportunity of retaking the drug test. Should the second drug test also prove positive the prospective employee shall not be considered for employment.
- (3) Should it come to the attention of management that an employee has a substance abuse problem, the employee shall be given the opportunity of entering into a substance abuse rehabilitation program. Refusal to enter into such a program by the employee shall be grounds for dismissal. A second incident of substance abuse, involving the same employee, shall be considered grounds for immediate dismissal.

### DUTIES OF THE EMPLOYEE

- (1) The employee acknowledges that the use of illegal drugs, alcohol, and the misuse of prescription drugs is prohibited while on the job and that illegal drugs and alcohol are not permitted on the company's premises at any time. Such substances are also not permitted in any company vehicle or on any jobsite.
- (2) Those employees that have a substance abuse problem, or who become chemically dependant, are encouraged to seek medical assistance.
- (3) Any employee who uses, brings upon, or attempts to sell illegal substances or alcoholic beverages in or around company premises, at any jobsite, or from any company vehicle is subject to immediate dismissal.



## GENERAL SAFETY RULES

The company has developed these safety rules patterned after the Federal OSHA requirements. Read and become familiar with these rules, and other safety rules that apply to your job.

- (1) Report any injury to your supervisor the same day it happens.
- (2) Report any observed unsafe conditions to your supervisor.
- (3) Horseplay is prohibited at all times.
- (4) The drinking of alcoholic beverages is not permitted on the job. Any employee discovered under the influence of alcohol or drugs will not be permitted to work.
- (5) If you do not have current First Aid Training do not move or treat an injured person unless there is an immediate peril, such as profuse bleeding or stoppage of breathing.
- (6) Appropriate clothing and footwear must be worn on the job at all times.
- (7) An approved hard hat must be worn at all times.
- (8) You should not perform any task unless you are trained to do so and are aware of the hazards associated with that task.
- (9) You may be assigned certain personal protective safety equipment. This equipment should be available for use on the job, be maintained in good condition, and worn when required.
- (10) Learn safe work practices. When in doubt about performing a task safely, contact your supervisor for instruction and training.
- (11) The riding of a hoist hook, or on other equipment not designed for such purposes, is prohibited at all times.
- (12) Never remove or by-pass safety devices.
- (13) Do not approach operating machinery from the blind side, let the operator see you.
- (14) Learn where fire extinguishers and first aid kits are located.
- (15) Maintain a general condition of good housekeeping in all work areas at all times.
- (16) Obey all traffic regulations when operating vehicles on public highways.
- (17) When operating or riding in company vehicles, or using your personal vehicle for business purposes, the vehicle's seatbelt shall be worn.
- (18) A safety vest will be assigned and worn at all times.
- (19) Be alert to hazards that could affect you and your fellow employees.
- (20) Obey safety signs and tags.
- (21) Always perform your assigned task in a safe and proper manner, do not take shortcuts. The taking of shortcuts and the ignoring of established safety rules is a leading cause of employee injury.



## SAFETY MEETINGS

- (1) To promote location safety, tool box type safety meetings should be held with all employees on a regular basis. The minimum frequency of holding safety meetings with employees is every week.
- (2) Besides discussing safety in general, a specific relevant topic should be chosen and discussed. The selection of the specific topic is the responsibility of the corporate safety director, the location manager, and the location individual responsible for safety. The topic chosen should be relevant to past accidents, loss prevention efforts, current activities, etc.
- (3) Tool box safety meetings should be led by location supervisors. All employees should attend and their active participation should be encouraged.
- (4) A record of each tool box safety meeting should be retained at the location. The "Tool Box Safety Meeting Form", found in the "Form" section of the Safety Manual, should be used for this purpose.
- (5) Items brought up during tool box meetings, that require corrective action, should be documented on the "Tool Box Safety Meeting Form". A procedure should be established to make certain that any required corrective action is carried out.





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## Safety Meeting Policy

Utility Contractors of America, Inc. conducts Safety Meetings every Tuesday morning. Attendance is **Mandatory** for all field and shop personnel, both UCA and Staffing employees.

The Safety Meeting is conducted in both English and Spanish to accommodate those who may not speak English.

Our Safety Meeting policy is simple.

If you miss 3 Safety Meetings within a calendar quarter, you will be terminated.

*(Of course, excused absences will not be held against you.*

*But you need to be sure that the office personnel know why you missed.)*

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## Safety Bonus Policy

Utility Contractors of America, Inc. has a Safety Bonus Policy in place to reward employees for safety on the job. The Safety Bonus may be given on the first Tuesday following the end of each calendar quarter. The bonus is based on a combination of events. The events that affect whether or not the bonus is given are listed and explained below.

- A. If there are no recordable injuries, as a result of violating a work rule or policy.
- B. If there have been any damages to vehicles or equipment, the safety bonuses will be reduced by the amount of those repairs.
- C. Safety Meeting Attendance will determine how much of your bonus you get.
  1. If you miss 1 safety meeting during that quarter, you will forfeit 50% of your bonus.
  2. If you miss 2 safety meetings during that quarter, you will forfeit your bonus entirely.
  3. If you miss 3 safety meetings during that quarter, you will be terminated.  
Please refer to the company Safety Meeting Policy.  
*(Of course, excused absences will not be held against you.  
But you need to be sure that the office personnel know why you missed.)*

Utility Contractors of America, Inc. has the right to discontinue or restructure the Safety Bonus Policy at any time without notice.

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## Time Clock Rules

There is a tablet with each supervisor and at the shop. You will use the last 4 of your SSN to clock in and out each day.

1. In the event you forget to clock in or out, you will not have any time for that day. It is your responsibility to clock in and out. If you don't, you don't get paid!
2. Anyone caught clocking another person in or out, will be terminated as well as the one being clocked.
3. If you leave one job to go to another job, you will be required to clock in again at the second job. (You are not required to clock out when you leave the first job.)
4. You will clock out for lunch and clock back in after your mandatory 30-minute lunch.

## Reglas de Reloj de Trabajo

Hay un "Reloj de Trabajo" en cada trabajo y en el shop. Se le dará a usted una llave que usará para marcar al entrar o salir del trabajo. Deduciremos un depósito de \$20 de su primer cheque para usted las llaves. Si usted termina su empleo se le reembolsará el depósito si entregue las llaves.

Hay dos llaves, una llave verde para marcar cuando entra y una llave roja para marcar cuando sale del trabajo. Si usted pierde sus llaves, usted será cobrado \$10.00 por llave para llaves de reemplazo.

1. Si usted olvida sus llaves, se va a casa por ellas. Usted no será capaz de marcar su entrada al trabajo sin ellas.
2. En caso de que usted olvide marcar cuando sale del trabajo, usted no estaba aquí ese día. Esto es su responsabilidad de marcar al entrar y cuando sale del trabajo. ¡Si usted no hace esto, no se le pagará!
3. Si alguien marca por otra persona al entrar o salir del trabajo, será terminado así como la persona que pidió que marcaran por el.
4. Si usted deja un trabajo para ir a otro trabajo, se requerirá que usted marque otra vez en el segundo trabajo. (No se requiere que usted marque al salir del primer trabajo.)
5. Usted marcará su tiempo cuando sale a comer y otra vez después de 30 minutos que es mandatario para comer.

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## Driver Acceptability

Attach as a separate page to your employment application the following:

Driver Acceptability and continued employment.

During the course of your pre-employment review and your ongoing employment with our company, your Motor Vehicle Record will be reviewed periodically. If at any time your driving history deems you unacceptable to our insurance carrier or our company set policy, your employment will be terminated. Moving violations, accident frequency (regardless of fault) and other violations will be considered.



## **Backhoe and Excavator Bucket Policy and Procedure**

Supervisors & Equipment operators shall not allow employees to, and employees shall not, get into the bucket of a backhoe or excavator for any purpose, including but not limited to lowering them into a trench or excavation, except when using a safety bucket designed for that specific purpose and the job supervisor is observing the operation. Violating this policy may place yourself or other employees in imminent danger. Therefore, any employee who violates this policy will be disciplined up to and including termination.

# Política y Procedimiento de la Pala del Tractor y de Excavadora

Los supervisores y los operadores de equipo no permitirán a empleados, y los empleados no van a, subirse en la pala del tractor o de la excavadora por ninguna razón, incluso pero no limitado con la bajada de ellos en una zanja o excavación, excepto cuando la utilización de la pala de seguridad diseñado para aquel objetivo específico y el supervisor de trabajo observa la operación. La violación de esta política puede colocar a usted u otros empleados en el peligro inminente. Por lo tanto, cualquier empleado que viola esta política será disciplinado hasta e incluso la terminación.

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## Policy Regarding Employee Rescue Activities

**Employees shall not perform or assist in rescue operations.**

In the event of anyone being in need of rescue, whether it is due to a Trench cave in, entrapment in a confined space or any other type of situation,

The following guidelines shall be followed:

- 1. Arrangements for rescue** – Contact 911 and your supervisor letting them know the type of emergency and location.
- 2. Do not attempt rescue** – Please allow Firefighters and Medics to perform any rescue attempts. Under no circumstance is an employee to attempt a rescue.
- 3. Hazards of attempting rescue without adequate training or equipment** – Additional cave-ins could happen in Trenches. In confined spaces the rescuer could succumb to asphyxiation. Any of these or other Hazards, could result in yourself or others being killed or seriously injured.

## Política Tocante Actividades de Rescate de Empleado

### **Los empleados no funcionarán o asistirán en operaciones de rescate.**

En caso de alguien necesitando rescate, si es debido a una hundación de zanja, entrapar en un espacio encajonado, o algún otro tipo de situación,

Las guías siguientes serán seguidas:

1. **Los arreglos para el rescate** – Se ponen en contacto con 911 y su supervisor y les deja saber el tipo de emergencia y localidad.
2. **No intente el rescate** – Por favor permita que bomberos y médicos realicen cualquier tentativa de rescate. En ninguna circunstancia un empleado debe intentar un rescate.
3. **Riesgos en el intento de rescate sin entrenamiento adecuado o equipo** – Hundaciones de zanjas pueden ocurrir. En espacios encajonados el salvador podría sucumbir a la asfixia. Cualquiera de éstos u otros riesgos podría causar la muerte o daños serios para usted u otros.

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## Disciplinary Action Policy

Effective Date: May 15, 2005

It is the policy of this company that any employee who violates safety policies or procedures of the company will be subject to the following disciplinary actions.

1. First violation will result in a verbal warning which will be documented in the employee's file.
2. Second violation will result in a written disciplinary action form being filled out and signed by both the employee and supervisor and kept in the employee's file.
3. Third violation will result in a disciplinary action form being filled out and signed by both the employee and supervisor and the employee will be relieved of their duties and placed on probation for one week without pay.

**Any subsequent violations within a one year period shall result in immediate termination.**

A place will be provided on the disciplinary forms for each employee to write their explanation and view points. Therefore refusal to sign disciplinary action forms may result in termination.

IF THE UNSAFE ACTION OF ANY EMPLOYEE PLACES ANYONE IN IMMINENT DANGER, THAT EMPLOYEE MAY BE DISCIPLINED UP TO AND INCLUDING TERMINATION REGARDLESS OF THE NUMBER OF VIOLATION HE/SHE HAS.

## Acciones Disciplinarias Política

Fecha de Vigencia: El 15 de mayo de 2005

Esto es una política de nuestra compañía que cualquier empleado que viola políticas o procedimientos de seguridad de nuestra compañía estará sujeto a las siguientes acciones disciplinarias.

1. La primera violación resultará en una advertencia verbal que estará documentado en el archivo del empleado.
2. La segunda violación resultará en una forma de acción disciplinaria escrita que se completa y es firmado tanto por el empleado como por el supervisor y guardado en el archivo del empleado.
3. La tercera violación resultará en una forma de acción disciplinaria que se completa y firmado tanto por el empleado como por el supervisor y el empleado será despedido de sus deberes y colocado en una prueba durante un período de una semana sin el pago.

**Cualquier violación subsecuente dentro de un período de año resultará en la terminación inmediata.**

Porporcionarán un lugar sobre las formas disicplnarias para que cada empleado escriba sus puntos de vista y explicación. Por lo tanto, negar firmar formas de acción disciplinarias puede resultar en la terminación.

SI LA ACCIÓN INSEGURA DE CUALQUIER EMPLEADO COLOCA A ALGUIEN EN EL PELIGRO INMINENTE, ESE EMPLEADO PUEDE SER DISCIPLINADO HASTA E INCLUSO LA TERMINACIÓN SIN TENER EN CUENTA LA CANTIDAD DE VIOLACIONES ÉL/ELLA TIENE.

## ACKNOWLEDGEMENT OF CELLULAR PHONE USE WHILE ON THE JOB

Use of cell phones while operating machinery or while driving company vehicles is prohibited. Machinery must come to a complete stop while using a cell phone on the job site. Company vehicles must use a "hands free" device or pull to the side of the road.

I have read (or had read to me) the company's policy on cellular phone usage while on the job. I acknowledge that I understand these rules and that I agree to follow them.



## Competent Person

**“Competent person” means one who is capable of identifying existing and predictable hazards in the surroundings, or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.**

The only persons designated by Utility Contractors of America, Inc “UCA” as the “Competent person” who has authorization to take prompt corrective measures to eliminate them, is the job Supervisor, or his bosses, Chris Balios or Jonathan Ziegner.

Even though I may have been trained and may have the experience to recognize safety hazards, UCA has **not** authorized me to take prompt corrective measures to eliminate them. Therefore, I understand that I am not the designated “competent person” for UCA and if I see anything or anyone that is unsafe, I shall immediately notify the job Supervisor, or his bosses, Chris Balios or Jonathan Ziegner.

## Persona Competente

**La “persona competente” quiere decir quien es capaz de identificar peligros que existen o riesgos previsible en los alrededores o condiciones de trabajo que son antihigiénicas, arriesgados o peligrosos a empleados, y quién tiene la autorización de tomar pronto medidas correctivas para eliminarlos.**

Las únicas personas designadas por Contratistas de Utilerfáde América, Inc “UCA” como la “persona competente” quien tiene la autorización de tomar pronto medidas correctivas para eliminarlos son el supervisor de trabajo o sus jefes, Chris Balios o Jonathan Ziegner.

Aunque yo pueda haber sido entrenado y pueda tener la experiencia de reconocer riesgos peligrosos de seguridad, el UCA **no** me ha autorizado para tomar pronto medidas correctivas para eliminarlos. Por lo tanto, entiendo que no soy la ‘persona competente’ designado para UCA y si veo algo o alguien que es peligroso, notificaré inmediatamente al supervisor de trabajo o sus jefes, Chris Balios o Jonathan Ziegner.

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## VEHICLE FLEET SAFETY POLICY

### Policy

The purpose of this policy is to ensure the safety of those individuals who drive company vehicles. Vehicle accidents are costly to our company, but more importantly, they may result in injury to you or others. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, the company endorses all applicable state motor vehicle regulations relating to driver responsibility. The Company expects each driver to drive in a safe and courteous manner pursuant to the following safety rules. The attitude you take when behind the wheel is the single most important factor in driving safely.

Jonathan Ziegner  
President

### Driver Eligibility

- In the event that an employee is involved in an accident while driving his/her own vehicle on company business, your employer may be liable if you do not have insurance or if the loss exceeds your policy limits. Employees who use their personal vehicles for company business are required to carry adequate limits of liability, with a suggested minimum of \$100,000 for property damage and \$300,000 for bodily injury. A copy of the declaration page of your personal automobile insurance policy must be provided annually at your renewal date.
- Drivers must have a valid driver's license for the type of vehicle to be operated, and keep the license(s) with them at all times while driving. All CDL drivers must comply with all applicable D.O.T. regulations, including successful completion on medical, drug, and alcohol evaluations.
- Company vehicles are to be driven by authorized employees ONLY, except in emergencies, or in case of repair testing by a mechanic. Other employees and family members are not authorized to drive the Company vehicle.
- Company vehicles are to be driven for Company Business ONLY. Personal use of company vehicles is prohibited. No unauthorized persons are allowed to ride in company vehicles.
- Any employee who has a driver's license revoked or suspended shall immediately notify Wanda Garrett and discontinue operation of the company vehicle. Failure to do so may result in disciplinary action, including possible dismissal.
- All accidents involving Company vehicles, regardless of severity, must be reported to the police and to Wanda Garrett. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, including dismissal.
- The use of a company vehicle while under the influence of intoxicants and other drugs is forbidden and is sufficient cause for discipline, including dismissal.



## POLÍTICA DE SEGURIDAD DE VEHÍCULO

### Política

El propósito de esta política es asegurar la seguridad de aquellos individuos que conducen vehículos de compañía. Los accidentes de vehículo son costosos a nuestra compañía, pero que es más importante, ellos pueden causarle daño a usted u otros. Es la responsabilidad del conductor de manejar el vehículo en una manera segura y conducir defensivamente para prevenir heridas y daño a la propiedad. Como tal, la compañía respalda todas las regulaciones de automóvil aplicable estatales acerca de la responsabilidad del conductor. La compañía espera que cada conductor conduzca en una manera segura y cortés de acuerdo con las reglas siguientes de seguridad. La actitud que usted toma cuando detrás de la reuda es el factor más importante en la seguridad de conducción.

Jonathan Ziegner  
Presidente

### Elegibilidad de Conductor

- En caso de que un empleado esté implicado en un accidente conduciendo su propio vehículo mientras en el negocio de compañía, su patron puede ser obligado si usted no tiene el seguro o si la pérdida excede sus límites de política. Requieren a empleados que usan sus vehículos personales mientras en el negocio de compañía que lleven límites adecuados de la responsabilidad con un mínimo sugerido de 100,000 dólares para daño a la propiedad y 300,000 dólares para daños corporales. Una copia de la página de declaración de su póliza de seguros personal de automóvil debe ser proporcionada anualmente en su fecha de renovación.
- Los conductores deben tener una licencia de conductores válida para el tipo de vehículo que van a manejar y guardar las licencias con ellos mientras esten manejando. Todos los conductores CDL deben cumplir con todas las regulaciones del D.O.T aplicable, incluso finalización acertada sobre evaluaciones de médico, drogas, y de alcohol.
- Los vehículos de compañía deben ser conducidos SOLO por empleados autorizados, excepto en emergencias, o en caso de pruebas de reparación por un mecánico. Otros empleados y miembros de familia no están autorizados a conducir el vehículo de compañía.
- Los vehículos de compañía deben ser conducidos SOLAMENTE para el negocio de la compañía. El uso privado de vehículos de compañía es prohibido. No se permite que personas no autorizadas se paseen en vehículos de compañía.
- Cualquier empleado que tiene la licencia revocada o suspendido notificará inmediatamente a Wanda Garrett y discontinuará la operación del vehículo de compañía. El no hacer esto puede causar la acción disciplinaria, incluso la posible despedida del empleado.
- Todos los accidentes comprometiendos vehículos de compañía, sin tener en cuenta la severidad, deben ser reportados a la policía y a Wanda Garrett. No parar después de un accidente y/o falta de reportar un accidente pueden causar la acción disciplinaria, incluso la despedida.
- El uso de un vehículo de compañía mientras bajo la influencia de productos tóxicos y otras drogas es prohibido y es la causa suficiente para la disciplina, incluso la despedida.
- Todos los conductores manejando o pasajeros en vehículos de compañía deben llevar puestos cinturones de seguridad, aun si los bolsos de aire están disponibles.
- Ordenarán archivos de automóvil periódicamente para fijar archivos de conductores. Un registro desfavorable causará la pérdida del vehículo de compañía o empleo. Un método de regla de la evaluación del archivo de automóvil para todos los conductores anticipados y corrientes será usado. Debajo es uno de varios métodos de examinar archivos de automóvil.
  - Uno (1) o más violaciones tipo "A" en los tres años pasados (como definido debajo).
  - Tres (3) o más accidentes evitables en los tres años pasados.
  - Tres (3) o más violaciones tipo "B" en los tres años pasados.
  - Cualquier combinación de accidentes evitables y tipo "B" violaciones que igualan cuatro (4) o más en los tres años pasados.

- All drivers and passengers operating or riding in company vehicles must wear seat belts, even if air bags are available.
- Motor Vehicle Records will be ordered periodically to assess driving records. An unfavorable record will result in the loss of company vehicle driving privileges or employment. A standard method of evaluation for all prospective and current drivers' MVRs will be used. *Below is one of several methods of reviewing MVRs.*
  - One (1) or more type 'A' Violations in the past 3 years (as defined below).
  - Three (3) or more preventable accidents in the last 3 years.
  - Three (3) or more 'B' violations in the past 3 years.
  - Any combination of preventable accidents and type 'B' violations which equal Four (4) or more in the last 3 years.

Type 'A' Violations:

- Driving while intoxicated
- Driving while under the influence of drugs
- Negligent homicide arising out of the use of a motor vehicle (gross negligence)
- Operating during a period of suspension or revocation
- Using a motor vehicle for the commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owners authority (grand theft)
- Permitting an unlicensed person to drive
- Reckless driving
- Speed contest (racing)
- Hit and Run (bodily injury or property damage)

Type 'B' Violations:

All moving violations not listed as type 'A' Violations

- Drivers are responsible for the security of Company vehicles being used by them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.
- Report any mechanical difficulties or repair needs to Jonathan Ziegner.

Tipo "A" Violaciones:

- Conducción mientras embriagado
- La conducción mientras bajo la influencia de drogas
- El homicidio negligente que proviene del uso de un automóvil (negligencia crasa)
- Manejando durante un período de suspensión o revocación
- La utilización de un automóvil para la comisión de un crimen
- Asalto agravado con un automóvil
- Manejando un automóvil sin las autoridades de dueños (gran robo)
- La permisión de una persona sin licencia que conduzca
- Conducción imprudente
- Carrera de automóvil
- Dar choque y salir corriendo (daños corporales o daño a la propiedad)

Tipo "B" Violaciones:

Todos las violaciones no puestas en una lista como tipo "A" violaciones

- Los conductores son responsable de la seguridad de vehículos de compañía usados por ellos. El motor de vehículo debe ser apagado, llaves de contacto quitadas, y puertas de vehículo cerradas siempre que el vehículo sea dejado desatendido. Si el vehículo es dejado con un guardacoches, solo la llave de contacto debe ser dejada.
- Reporte cualquier dificultad mecánica o necesidades de reparación a Jonathan Ziegner.

DRUG ABUSE POLICY  
OF  
UTILITY CONTRACTORS OF AMERICA, INC.

1. STATEMENT OF PURPOSE AND SCOPE

Our Company recognizes that alcohol and drug abuse in the work place has become a major concern. We believe that by reducing drug and alcohol abuse, we will improve the safety, health and productivity of employees. The object of our drug abuse policy is to provide a safe and healthy work place for all employees, and prevent accidents.

The use, possession, sale, transfer, purchase or being under the influence of drugs by employees at any time on company premises or while on company business is prohibited. Employees must not report for duty or be on company property while under the influence of, or have in their possession while on company property, any drug.

2. DEFINITION OF DRUG

For the purpose of this policy, the term "drug", wherever it appears in this policy statement, includes alcoholic beverages as well as inhalants and illegal drugs.

3. CONSEQUENCES OF VIOLATING THE DRUG ABUSE POLICY

Violation of this drug abuse policy will result in one of the following forms of corrective action: Immediate discharge, suspension, probation, oral warning or written warning. In arriving at a decision for proper action, the seriousness of the infraction, the past record of the employee, and the circumstances surrounding the matter will all be taken into consideration.

4. TREATMENT PROGRAMS AND EMPLOYEE INSURANCE

While we do not sponsor or endorse any specific drug treatment programs, such programs are available through public and private health care facilities in our area. Affected employees are encouraged to seek assistance for themselves and their dependents.

5. EDUCATION AND TRAINING PROGRAMS

We do not offer, nor require participation in, drug and alcohol abuse education and training programs. However, various public facilities in our area offer such programs and affected employees are encouraged to seek assistance.

6. PRE-EMPLOYMENT DRUG & ALCOHOL ABUSE CONSENT

During the course of your employment you may be subject to inspection for possession or use of unauthorized materials such as alcohol and drugs as required by our policies or those of companies with which we do business. Your entry into or presence on company controlled or provided work sites, vehicles or owned property is conditioned to the company's right to search any employee's property, including lockers, lunch boxes, baggage, purses, coats, and private vehicles (including trunks, glove compartments, etc.). By entering into or being present on company controlled or provided work sites, vehicles, or owned property, any person is deemed to have consented to such searches which may include periodic and unannounced searches of anyone while on, entering or leaving such facilities. This is a condition of employment. These searches may include the use of electric or electronic detection devices, scent-trained animals, or the taking of blood or urine samples for testing to determine the presence of substances prohibited by this policy. The company will pay for the full cost of any tests and transportation to and from such tests.



## **Policy for the Return-to-Work Process**

Utility Contractors of America, Inc. is committed to providing a safe and healthy workplace for our employees. Preventing injuries and illnesses is our primary objective.

If an employee is injured, we will use our return-to-work process to provide assistance. We will get immediate, appropriate medical attention for employees who are injured on the job, and we will attempt to create opportunities for them to return to safe, productive work as soon as medically reasonable.

Our ultimate goal is to return injured employees to their original jobs. If an injured employee is unable to perform all the tasks of the original job, we will make every effort to provide alternative productive work that meets the injured employee's capabilities.

The support and participation of management and all employees are essential for the success of our return-to-work process.

Jonathan Ziegner  
President

## **Política Del Proceso Para Regresar Al Trabajo**

Contratistas de Utilería de America, Inc., es cometido a encargarse de un lugar de trabajo seguro y sano para nuestros empleados. La prevención de heridas y enfermedades es nuestro objetivo primario.

Si un empleado es perjudicado, usaremos el proceso para regresar al trabajo y proporcionar ayuda. Conseguiremos la asistencia médica inmediata y apropiada para empleados que son perjudicados en el trabajo. Intentaremos crear oportunidades para que ellos regresen al trabajo seguro y productivo tan pronto como médicamente razonable.

Nuestro objetivo último es devolver a empleados perjudicados a sus empleos originales. Si un empleado herido es incapaz de realizar todas las tareas del trabajo original, nos esforzaremos para proporcionar el trabajo alternativo y productivo que satsiface las capacidades del empleado herido.

El apoyo y la participación de la administración y todos los empleados son esenciales para el éxito del proceso para regresar al trabajo.

**Jonathan Ziegner**  
Presidente

The foregoing document is a translation from English to Spanish. In order to convey the meaning or intent of a sentence or paragraph, some words or sentences may have been changed or omitted from the original English version. Some words or sentences may have also been added to the Spanish translation that were not in the English text to translate the meaning or intent of the English version of this document.

El documento precedente es una traducción del inglés a español. A fin de comunicar el sentido o la intención de una oración o párrafo, algunas palabras o las oraciones pueden haber sido cambiadas u omitadas de la versión original en inglés. Algunas palabras o las oraciones pueden haber sido también añadidas a la traducción en español que no estaban en el texto inglés para traducir el sentido o la intención de la versión en inglés de este documento.

## **Employee Responsibilities Regarding Work-Related Injuries**

You are responsible for working safely and following all safety rules.

If you are hurt on the job, you must report the injury immediately to your supervisor and go to the doctor that day for treatment. We require drug testing after each work-related illness or injury.

Management is responsible for providing a safe work environment and for providing a smooth transition back to work for any employee who has experienced a work-related illness or injury.

We will encourage anyone who is off work due to a work-related injury or illness to return to work as soon as medically reasonable. We will provide modified work tasks as necessary.

We will work together to set guidelines for modified duty according to the doctor's restrictions.

It is essential that contact be maintained in order to promote your return to work. We care about you health, well-being and future with the incident:

- Report all incidents immediately, no matter how minor.
- Complete an accident report
- Provide correct information immediately so that the TWCC-1 form may be completed and filed within 24 hours.
- Inform the physician that there is alternative productive work available.
- Report to work on the next scheduled shift after you have been released by the doctor (either regular duties, modified duties, or reduced time)
- Perform only the jobs described by the doctor and manager, according to the doctor's restrictions.
- Contact your manager weekly to discuss your restrictions and other return-to-work opportunities
- Verify that we have your current phone number and address

Failure to follow these procedures will result in disciplinary action according to the policies and procedures in the employee manual.

## **Responsabilidades De Empleado Tocante Heridas Perteneciendo Al Trabajo**

Usted es responsable de trabajar sin peligro y de seguir todas las reglas de seguridad.

Si usted es hecho daño en el trabajo, usted debe reportar la herida inmediatamente a su supervisor y vaya al doctor ese día para el tratamiento. Requerimos análisis de drogas después de cada enfermedad o herida que tenga que ver con el trabajo.

La administración es responsable de proporcionar un ambiente de trabajo seguro y de proporcionar una transición uniforme al trabajo para cualquier empleado que ha pasado por enfermedad o herida en el trabajo.

Animaremos a cualquiera que no puede trabajar debido a una herida o enfermedad de trabajo que regrese a trabajar tan pronto como médicamente razonable. Proporcionaremos tareas de trabajo modificadas como es necesario.

Trabajaremos juntos para fijar guías de deberes de trabajo modificados según las restricciones del doctor.

Es esencial que contacto ser mantenido para promover su regreso al trabajo. Nos preocupamos por su salud, bienestar y el futuro con el incidente:

- Reporte todos los accidentes inmediatamente, no importa que menor
- Complete un informe de accidente
- Proporcione la información correcta inmediatamente de modo que la forma TWCC-1 puede ser completada y archivada dentro de 24 horas.
- Informe al médico que hay trabajo alternativo y productivo disponible.
- Reporte al trabajo en el siguiente turno después de que el doctor lo de de alta (ya sea deberes regulares, deberes modificados, o tiempo reducido).
- Cumple solo con los empleos descritos por el doctor y manejador, según las restricciones del doctor.
- Póngase en contacto con el manejador para discutir sus restricciones y otras oportunidades para regresar al trabajo.
- Verifique que tenemos su número de teléfono corriente y dirección.

El no seguir estos procedimientos causará la acción disciplinaria según las políticas y procedimientos en el manual de empleado.

El documento precedente es una traducción del inglés a español. A fin de comunicar el sentido o la intención de una oración o párrafo, algunas palabras o las oraciones pueden haber sido cambiadas u omitidas de la versión original en inglés. Algunas palabras o las oraciones pueden haber sido también añadidas a la traducción en español que no estaban en el texto inglés para traducir el sentido o la intención de la versión en inglés de este documento.



# WORKWELL, TX

## **Notice of Network Requirements**

(Post in visible area for all employees)

Your employer has chosen WorkWell, TX as its certified workers' compensation health care network in partnership with Texas Mutual Insurance Company, a workers' compensation insurance carrier. WorkWell, TX will manage the health care and treatment you may receive if you are injured on the job or diagnosed with an occupational illness while employed here. WorkWell, TX doctors are trained in treating work-related injuries and illnesses and getting people back to work and back to a productive life.

The information in this packet will help you to seek care for your injury and describes what to do if you are injured while on the job.

### **What to do if you are injured while on the job**

If you are injured at work, tell your employer right away. Your employer will help with any questions you may have about seeking treatment through WorkWell, TX. You may also contact Texas Mutual if you have any questions about your treatment. Our shared goal with your employer is to return you to work as soon as it is safe to do so.

A list of network doctors in your service area is available on [texasmutual.com](http://texasmutual.com) or by downloading the WorkWell, TX mobile app. You may contact us at (844) 867-2338 or at the address below for assistance.

WorkWell, TX  
6210 East Highway 290  
Austin, Texas 78723-1098

### **In case of an emergency**

If you are injured and it is an emergency, you should seek treatment at the nearest medical care facility immediately. This also applies if you are injured outside the service area. Emergency care does not require preapproval. Texas law defines "medical emergency" as a medical condition that comes up suddenly.

After you receive emergency care, you may need ongoing care. Select a network doctor from the WorkWell, TX network. The doctor you choose will oversee the care for your injury. You must obtain referrals to see another health care provider or specialist from your treating doctor, except for emergency care.

## **Non-emergency care**

Report your injury to your employer as soon as you can. Find a network treating doctor on [texasmutual.com](http://texasmutual.com) or by downloading the WorkWell, TX mobile app. Go to that doctor for treatment.

Treatment prescribed by your doctor may need to be approved in advance. Your doctor needs to request approval from the network for a specific treatment before the treatment or service is provided. You may continue to need further care after completing the approved treatment.

## **Choosing a treating doctor**

If you are hurt at work and it is not an emergency and you live in the network service area, you must choose a treating doctor from the WorkWell, TX network. This is required so that WorkWell, TX covers the costs for the care. If you belong to a health maintenance organization (HMO) at the time of your injury, you may choose your HMO primary care doctor as your treating doctor. You must have chosen the doctor as your primary care doctor before your injury. We will approve the choice of your HMO doctor if they agree to the terms of the network contract and to abide by applicable laws.

For a list of network doctors available in your area, please visit [texasmutual.com](http://texasmutual.com) or download the WorkWell, TX mobile app. The WorkWell, TX provider directory is updated monthly. Doctors who speak Spanish or who are no longer taking new patients will be flagged with an icon on their record.

If your treating doctor leaves the network, we will notify you in writing. You will have the right to choose another treating doctor from the network directory. If your doctor leaves the network and you have a life threatening or acute condition for which a disruption of care would be harmful to you, your doctor may request to continue your treatment for an extra 90 days.

If you live outside of the service area, you may request a service area review by calling Texas Mutual. You should provide proof to support your request. Texas Mutual will inform you of its decision within seven days of receiving your request. If you disagree with Texas Mutual's final decision, you have the right to file a complaint with the Texas Department of Insurance. Your complaint must include your name, address, phone number, a copy of Texas Mutual's decision and any proof you sent to Texas Mutual for review. A complaint form is available on [tdi.texas.gov](http://tdi.texas.gov) or you may ask for a form by writing to:

Managed Care Quality Assurance Office  
Mail Code 103-6A  
Texas Department of Insurance  
PO Box 149104  
Austin, Texas 78714-9104

When waiting for Texas Mutual to make a decision or for the Texas Department of Insurance to review your complaint, you are still expected to use the network for all health care. You may be required to pay for health care services received out of the network if it is decided you do live in the network's service area.

## **Changing doctors**

If you are not satisfied with your first choice of a treating doctor, you can select a different treating doctor from the network directory. We will not deny your choice to see a different treating doctor. Before you can change treating doctors a second time, you must get permission from the network by calling (844) 867-2338.

## **Referrals**

You do not have to get a referral if you have an emergency. All other health care and specialist referrals should be made through your treating doctor. All health care services that you request will be made available by the network on a timely basis, as required by your medical condition. This includes referrals. All health care services, including referrals, will be made available within 21 days after your request.

## **Out-of-network approvals**

WorkWell, TX must approve all of your treating doctor or specialist's out-of-network referrals before you visit the provider. If you need to request approval, please call (844) 867-2338.

## **Payment for health care**

Network doctors have agreed to seek payment from Texas Mutual for your treatment. They will not look to you for payment. If you receive treatment from a doctor who is not in the network without prior approval from WorkWell, TX, you may have to pay for the cost of that care. Medical costs for treatment by non-network health care providers may be covered only if one of the following situations occurs:

- Emergency care is needed. You should go to the nearest hospital or emergency care facility.
- You do not live within the service area of the network.
- Your treating doctor or specialist refers you to an out-of-network provider or facility and WorkWell, TX approves the referral.
- You have chosen your HMO primary care doctor. Your doctor must agree to abide by the network contract and applicable laws.

## **Preauthorization, adverse determination and independent review**

A list of the procedures and services that need preauthorization is on [texasmutual.com](http://texasmutual.com). The list in this packet is not intended to be all-inclusive; health care is an evolving science. Procedures and treatments requiring prior approval will also evolve. Treating providers should verify preauthorization requirements by referring to the updated list on [texasmutual.com](http://texasmutual.com).

If WorkWell, TX denies the request, you or the requesting doctor may ask for a review of that decision. If still dissatisfied, you, your provider or a person acting on your behalf may request an independent review. The preauthorization agent will provide any relevant medical records related to the injury to the independent review group. They may also provide any treatment guidelines used and a list of the doctors who provided care to you.

## Complaints

We take your concerns seriously. If you are dissatisfied, you can file a complaint with WorkWell, TX. You may do this if you are not satisfied with any aspect of the network, including care you received. You must file your complaint within 90 days after the date of the event that is the basis for the complaint.

If you have questions about the complaint process you can reach the Grievance Coordinator by phone at (844) 297-5723, by fax at (512) 224-8800, by email at [wwtxcomplaints@texasmutual.com](mailto:wwtxcomplaints@texasmutual.com), or by mail at the address below.

WorkWell, TX  
Attention: Grievance Coordinator  
PO Box 12029  
Austin, Texas 78711-2029

Texas law does not permit WorkWell, TX to retaliate against you if you file a complaint against the network. We will not retaliate if you appeal the decision of the network. The law does not permit us to retaliate against your treating doctor if they file a complaint against the network or appeal the decision of the network on your behalf.

You have the right to file a complaint with the Texas Department of Insurance. The Texas Department of Insurance complaint form is available on the department's website at [tdi.texas.gov](http://tdi.texas.gov) or you may request a form by writing to:

Managed Care Quality Assurance Office  
Mail Code 103-6A  
Texas Department of Insurance  
PO Box 149104  
Austin, Texas 78714-9104