

**Titan General Contractors, LLC**  
DBA Titan Property Management  
DBA Eagle Suites

**EMPLOYEE HANDBOOK**



# Welcome

Welcome to **Titan Property Management**! We are delighted you have chosen to join our organization and hope you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will use the opportunities to enhance your career and further **Titan Property Management's** goals.

You are joining an organization with a reputation for outstanding leadership, innovation, and expertise. Our employees use their creativity and talent to invent solutions, meet new demands, and offer the industry's most effective services/products. With your active involvement, creativity, and support, **Titan Property Management** will continue to achieve its goals. We hope you will take pride in being essential to **Titan Property Management's** success.

Please take time to review the policies in this handbook. However, remember that it is not intended to be comprehensive or address all possible applications of the general policies and procedures described. Thus, if you have any questions, please ask your supervisor or contact the Human Resources Department.

The policies, practices, procedures, and benefits described in this Handbook may be modified or discontinued occasionally at **Titan Property Management's** sole discretion and without further notice, except the policy establishing at-will employment. **Titan Property Management** will inform you of any changes that occur.

Nothing in this handbook is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

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## Employment at Will

Employment at **Titan Property Management** is on an at-will basis unless otherwise stated in a written individual employment agreement signed by a company manager. This means that the employee or the company may terminate the employment relationship at any time, for any reason, with or without notice, except as otherwise provided by law.

**Nothing in this employee handbook is intended to create an employment agreement, express or implied, a definite term of employment, or a right to termination of employment only "for cause." Nothing contained in this, or any other document provided to the employee, is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period. In addition, no company representative is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship.**

Any salary figures provided to an employee in annual or monthly terms are stated for convenience or to facilitate comparisons. They are not intended to create an employment contract for any specific period.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

# Equal Opportunity and Commitment to Diversity

## Equal Employment Opportunity

**Titan Property Management** provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, pregnancy, sexual orientation, religion, age, disability, gender identity or expression (including transgender status), genetic information, military status, or any other protected characteristic as established by law.

Equal employment opportunity applies to all terms and conditions of employment, including recruitment and hiring, placement, promotion, termination of employment, layoff, recall, transfer, leave of absence, compensation, and training. **Titan Property Management** bases all employment and advancement decisions on merit, qualification, skills, abilities, and experience.

**Titan Property Management** expressly prohibits any form of unlawful employee harassment or discrimination based on any of the protected characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is unacceptable and will not be tolerated.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Human Resources. The Company will not discriminate, retaliate, or allow any form of retaliation against individuals who raise equal employment opportunity issues. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of Human Resources.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

1. shunning and avoiding an individual who reports harassment, discrimination or retaliation.
2. express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
3. denying employment benefits because an applicant or employee reported harassment, discrimination, or retaliation or participated in the reporting and investigation process.

Complaints of discrimination should be filed according to the procedures described below in the Harassment and Complaint Procedure.

## **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

To ensure equal employment opportunities to qualified individuals with a disability, **Titan Property Management** will provide reasonable accommodation for the known disability of an otherwise qualified individual unless undue hardship results. Specifically, **Titan Property Management** provides reasonable accommodations to ensure equal opportunity in the application process, to enable a qualified individual with a disability to perform the essential functions of a job, and to enable a qualified employee with a disability to enjoy equal benefits and privileges of employment.

**Titan Property Management** cannot offer reasonable accommodation unless it knows the need. It is primarily the responsibility of the applicant or employee with a disability to inform us that accommodation is needed to participate in the application process, perform essential job functions, or receive equal benefits and privileges of employment. If you feel you need a reasonable accommodation, please submit the request in writing directly to Human Resources and include relevant information such as a description of the reasonable accommodation you are requesting, the reason why you need a reasonable accommodation, and how the reasonable accommodation will help you perform the essential functions of your job.

Employees who may require reasonable accommodation should contact the Human Resources Department.

## **Pregnancy Accommodation**

If requested, **Titan Property Management** will provide reasonable accommodations to qualifying employees related to pregnancy, childbirth, or related medical conditions to the extent the accommodation can be made without imposing an undue hardship on the business.

When an employee requests accommodation, **Titan Property Management** will interact with the employee to determine reasonable accommodation.

**Titan Property Management** may require the employee to provide a certification in connection with a request for reasonable accommodation that includes, but is not limited to, the following:

- the date the reasonable accommodation became medically advisable.
- the probable duration of the reasonable accommodation; and
- an explanatory statement as to the medical advisability of reasonable accommodation.

If leave is a reasonable accommodation, such leave may run concurrently with any other leave permitted by state and federal law.

For more information or if you require reasonable accommodation, don't hesitate to contact Human Resources.

## **Nursing Mothers**

Any breastfeeding employee will be provided reasonable break times to express breast milk up to one year after a child's birth. **Titan Property Management** will provide a non-bathroom space shielded from view and free from intrusion. Please contact the supervisor and Human Resources if you need to arrange for such a break.

If the employee works during the nursing break, it will be paid time. Breaks of more than 20 minutes will be unpaid and must be recorded on timesheets where appropriate. Nursing break time should run concurrently with paid or unpaid breaks provided whenever possible. Employees and their supervisors should work together to establish reasonable, flexible, and mutually agreeable break times each day that do not unduly disrupt work activities.

Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

## **Commitment to Diversity**

**Titan Property Management** is committed to creating and maintaining a workplace where all employees have an opportunity to participate and contribute to the business's success and are valued for their skills, experience, and unique perspectives. This commitment is embodied in company policy and how we do business at **Titan Property Management** and is an essential principle of sound business management.

## **Anti-Harassment and Complaint Procedure**

Sexual and other unlawful harassment violates Title VII of the Civil Rights Act of 1964 (Title VII), as amended, and many state laws. Harassment based on a protected characteristic, such as race, color, ancestry, national origin, gender, pregnancy, sexual orientation, gender identity, religion, age, disability, veteran status, or other characteristics protected by state or federal law, is prohibited.

Titan Property Management's policy is to provide a work environment free of sexual and other unlawful harassment. To that end, unlawful harassment of **Titan Property Management's** employees by management, supervisors, coworkers, or non-employees who are in the workplace based on an individual's protected status is prohibited. This includes

work-related conduct away from the worksite. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. **Titan Property Management** will take all steps necessary to prevent and eliminate unlawful harassment.

**Definition of Unlawful Harassment.** Actions, words, jokes, or comments based on an individual's gender, pregnancy, race, national origin, age, disability, religion, gender identity or expression, sexual orientation, genetic information, or any other legally protected characteristic will not be tolerated. They will be grounds for disciplinary action up to and including termination of employment. For example, harassment is any act or action that singles out an employee to that employee's detriment or objection because of the employee's legally protected status, activity, or other characteristic established by law. Unlawful discrimination or harassment based on protected status is strictly prohibited. Harassment may include, but is not limited to, any of the following:

- 1) Verbal abuse or ridicule. This includes epithets, derogatory comments, slurs, unwanted statements, advances or invitations, or comments or actions that denigrate a person based on protected status.
- 2) Interference with an employee's work because of protected status. This includes physical contact such as battery, assault, blocking normal movement, or interference with work directed at an individual.
- 3) Displaying or distributing offensive materials because of protected status. This includes derogatory emails, text messages, posters, cartoons, drawings, or gestures.
- 4) Discrimination against any employee because of protected status in work assignments or job-related training.
- 5) Intimate, unwelcome physical contact.
- 6) Making innuendo intended to embarrass or demean because of protected status.
- 7) Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer, or any other term or condition of employment. This includes threats.

**Definition of Sexual Harassment.** "Sexual harassment" is defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions affecting such individual (i.e., threatening negative consequences for refusing or promising promotions, raises, etc., in exchange for sexual favors); or
- Such conduct has the purpose or effect of unreasonably interfering with an

individual's work performance or creating an intimidating, hostile, or offensive work environment.

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not.
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.
- Displaying sexually suggestive objects, pictures, or cartoons.
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments.
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

Uninvited conduct with sexual overtones occurring in the workplace is sexual harassment. Whether or not the conduct is uninvited is based on the victim's perception and not the harassers.

All employees should note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated at **Titan Property Management**. Any violation of this provision may result in disciplinary action, including termination of employment. Conversely, false accusations of harassment are considered severe and likewise may result in disciplinary action, up to and including termination of employment.

Employees are expected to maintain a work environment free from discrimination and harassing activity based on any protected status. Every employee must ensure that his or her conduct does not include or imply unlawful discrimination or harassment. Anyone engaging in unlawful discrimination or harassment based on protected status will be subject to disciplinary action, up to and including termination of employment.

**Complaint Procedure.** If you believe you have been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, you must, as a condition of continued employment, promptly report the incident to your immediate supervisor or department manager, the HR director, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, suppose you observe acts of discrimination toward or harassment of another employee. In that case, you must promptly report this to one of the individuals listed above as a condition of continued employment.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, confidentiality. If the investigation confirms conduct contrary to this policy has occurred, Titan Property Management will take immediate, appropriate corrective action, including discipline up to and including termination of employment.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

# Conflicts of Interest and Confidentiality

## Conflicts of Interest

**Titan Property Management** expects all employees to conduct themselves and company business in a manner that reflects the highest standards of ethical conduct and is in accordance with all federal, state, and local laws and regulations. This includes avoiding actual and potential conflicts of interest.

**Titan Property Management** recognizes and respects the individual employee's right to hold outside employment or engage in private activities that do not in any way conflict with or reflect poorly on the company.

Employees must never use their positions with **Titan Property Management** for private financial gain, to advance personal financial interests, to obtain favors or benefits for themselves, members of their families (by blood or by marriage), or any other individuals, corporations, or business entities; or engage in activities, investments, or associations that compete with the company. It is impossible to define all the circumstances and relationships that might create a conflict of interest. If there is a potential conflict of interest, the employee should discuss this with the manager for advice and guidance on how to proceed.

The non-exhaustive list below provides examples of possible improper behavior, unacceptable personal integrity, or unacceptable ethics that would violate this policy:

1. Simultaneous employment by another firm, a competitor or supplier to **Titan Property Management**.
2. Carrying on company business with an entity where the employee or a close relative has substantial ownership or interest.
3. Holding a substantial interest in, or participating in the management of, an entity to which the company makes sales or from which it makes purchases.
4. Borrowing money from customers or entities other than recognized loan institutions from which the company buys services, materials, equipment, or supplies.
5. Accepting substantial gifts or excessive entertainment from an outside organization or agency.
6. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the company.
7. Participating in civic or professional organization activities in a manner that divulges confidential company information.
8. Misusing privileged information or revealing confidential data to outsiders.
9. Using one's position in the company or knowledge of its affairs for personal gain or the

gain of a relative (by blood or marriage).

10. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the conduct of company business.

Failure to notify **Titan Property Management** of potential conflicts of interest may result in disciplinary action, including termination of employment.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## **Confidential Information**

During employment, employees may learn or use certain confidential, proprietary information or company trade secrets. Protecting confidential business information and trade secrets is vital to Titan Property Management's interests and success. Employees may not use confidential information obtained during their employment except in connection with the performance of their assigned duties.

As used in this handbook, confidential information is any and all information disclosed to or known by you because of your employment with the company that is not generally known to people outside the company about its business, the disclosure of which could provide an advantage or benefit to a competitor to the company, or harm to the company if disclosed to such competition. This includes but is not limited to, information covered by applicable state trade secrets laws, financial statements and other financial and accounting data and information, work product, information regarding company business contracts, assets and properties, costs, pricing methods or strategies, strategic business plans, operating results, marketing strategies, customer or vendor lists, upcoming acquisitions and divestitures, new investments, or manufacturing costs, earnings, methods of marketing, research activities and data, computer software and operating procedures, prospective and executed contracts and other business arrangements, and compilations of customer information. Specifically, this includes all tenant personal information, rent rolls, rent amounts, and occupancy. To avoid doubt, wages, benefits, and other terms and conditions of employment are not considered to be confidential information.

An employee who improperly uses or discloses trade secrets or confidential business information will be subject to disciplinary action, up to and including termination of employment and legal action, even if he or she does not benefit from the disclosed information.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

# Employment Relationship

## Employment Classification

To determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, **Titan Property Management** classifies its employees as shown below. **Titan Property Management** may review or change employee classifications at any time.

**Exempt.** Exempt employees are paid on a salaried basis and are not eligible for overtime pay.

**Nonexempt.** Nonexempt employees are paid hourly and are eligible to receive overtime pay for overtime hours worked.

**Regular, Full-Time.** These are employees who are not in a temporary status, work a minimum of 30 hours weekly, and maintain continuous employment status. Generally, these employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

**Regular, Part-Time.** Employees who are not temporary are regularly scheduled to work fewer than 30 hours weekly but at least 20 hours weekly and maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by the company and are subject to the terms, conditions, and limitations of each benefits program.

**Temporary, Full-Time.** Employees hired as interim replacements to supplement the workforce temporarily or to assist in completing a specific project are temporarily scheduled to work the company's full-time schedule for a limited duration.

Employment beyond any initially stated period does not imply a change in employment status.

**Temporary, Part-Time.** Employees hired as interim replacements to supplement the workforce temporarily or assist in completing a specific project are temporarily scheduled to work fewer than 30 hours weekly for a limited duration. Employment beyond any initially stated period does not imply a change in employment status.

## Timekeeping

Non-exempt employees must accurately record how long they work and perform assigned duties. All time must be recorded in the company's timekeeping system, and meal periods of at least 30 minutes in length must be excluded from working time.

Exempt employees may also be required to accurately record their time worked in accordance with federal and state wage and hour law.

Non-exempt employees must obtain prior, written supervisor approval before performing overtime work. Non-exempt employees who work overtime without approval will be paid for

that time but may also be subject to disciplinary action, up to and including termination of employment. Overtime pay is based on actual hours worked. Non-exempt employees will be paid at a rate of 1½ times the employee’s regular pay rate for hours worked over 40 hours in a workweek, per state and federal wage-and-hour laws. PTO, paid holidays, and any leave of absence will not be considered hours worked to calculate overtime.

Suppose you alter, falsify, or tamper with time records, record time on another employee’s time record, or ask another employee to record time on your time record. In that case, you may be subject to disciplinary action, including termination of employment. Similarly, working “off the clock” is strictly prohibited and may result in disciplinary action, including termination of employment. Suppose you are asked or told to work “off the clock” or not to record the time you’ve worked. In that case, you should immediately notify Human Resources so that the matter can be investigated, and corrective action can be taken, if necessary.

Non-exempt employees should not report to work before their scheduled starting time or stay after their scheduled stop time without their supervisor’s approval.

At the end of each week, each employee and supervisor must sign the employee’s time sheet attesting to its correctness before forwarding it to the Operations Manager.

The company takes all reasonable steps to ensure you receive the correct amount of pay in each paycheck. However, if you believe an error has been made in your pay—high or low—you should notify your supervisor immediately. The company will investigate the problem and make any necessary corrections.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## **Work Week and Hours of Work**

The standard workweek is from 12:00 a.m. on Monday until 11:59 p.m. the following Sunday and generally consists of 40 work hours.

Corporate office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday. Hotel management hours are 9:00 a.m. to 7:00 p.m., Monday through Sunday. Maintenance department hours are 7:00 a.m. to 3:30 p.m., with a 30-minute lunch period. Individual work schedules may vary depending on the needs of each department.

## **Meal and Rest Breaks**

Employees are entitled to a 30-minute unpaid meal break and two 15-minute rest periods daily.

Non-exempt employees must clock out before their meal break and clock in after completing it. Non-exempt employees are **NOT** authorized or permitted to perform work-

related duties while clocked out for lunch. If work is performed during a meal break, you will be paid for that work, but you may also be subject to disciplinary action, up to and including termination of employment.

## **Deductions from Pay**

The Company does not make improper deductions from exempt employees' salaries and complies with the Fair Labor Standards Act (FLSA) salary basis requirements. Employees classified as exempt from the FLSA's overtime pay requirements will be notified of this classification at the time of hire or change in position.

**Permitted deductions.** Titan Property Management is required by law to make sure mandatory deductions from your paycheck each pay period. Mandatory deductions typically include federal and state taxes, Social Security (FICA) taxes, as well as any other deductions required under law or by court order for wage garnishments, subject to state and federal guidelines protecting a certain amount of an employee's wages from being subject to garnishment. Depending on the benefits you choose, there may be additional deductions. You may also authorize the company to make other deductions in writing.

Your pay stub lists all deductions and their amounts. Your deductions are totaled yearly on your Form W-2, Wage, and Tax Statement.

**Titan Property Management** will not make deductions to an employee's pay that are prohibited by state or federal law or regulation, including those established by the United States Department of Labor.

Exempt, salaried employees receive a salary intended to compensate them for all hours worked, and that will not vary based on the quantity or quality of work performed. Exempt members receive their total salaries for any workweek in which work is performed. However, under applicable law, exempt members' salaries are subject to certain deductions and may be reduced for the following reasons in a workweek in which work was performed:

- 1) full-day absences for personal reasons, including vacation.
- 2) full-day absences for sickness or disability in certain instances.
- 3) full-day disciplinary suspensions for infractions of safety rules of major significance or major workplace conduct rules outlined in written policies; and
- 4) the first or last week of employment if you work less than an entire week.

In addition, an employee may be paid only for hours worked when using unpaid leave under the Family and Medical Leave Act (FMLA).

**Improper deductions.** Suppose an employee classified as exempt believes that an inadvertent and unpermitted improper deduction has been taken from his or her pay. In that case, the employee should immediately report the deduction to the Human Resources Department. The report will be promptly investigated, and if it is found that an improper

deduction has been made, the company will reimburse the employee. **Titan Property Management** makes a good-faith effort to comply with the provisions of the FLSA and any other applicable federal or state law regarding wages.

## **Paychecks**

**Titan Property Management's** pay periods are scheduled bi-weekly or semi-monthly, depending on the division you work in. Any questions regarding pay schedules may be directed to the Human Resources Department.

Employees will receive their paychecks on the preceding workday if payday falls on a federal holiday. For your convenience, **Titan Property Management** encourages all employees to receive payment by direct deposit to the financial institution of their choice. Still, you may submit a request to HR in writing to receive payment via a paper check.

## **Personnel Files**

The company needs to maintain up-to-date information on its employees to aid you and/or your family in personal emergencies. Thus, each employee is responsible for keeping his/her employee information up to date. This includes any change in name, address, phone number, marital status, names and numbers of eligible dependents, beneficiaries, military status, emergency contacts, etc. Any changes should be promptly given in writing to Human Resources.

Employee files and personnel records are the property of **Titan Property Management**, are maintained by the Human Resources department, and are considered confidential. Managers and supervisors may only have access to personnel file information on a need-to-know basis.

Upon written request, a current or former employee will generally be permitted to inspect his or her personnel file within three days of the request unless otherwise required under state law. Personnel files must be reviewed in the Human Resources department and may not be taken outside the department.

## **Employment of Relatives**

Members of the same family (by blood or marriage) may work for Titan Property Management but not report to one another.

Suppose two employees marry and are in the same chain of command. In that case, the company will select either employee at its discretion and require the selected employee to transfer or leave the organization. In all cases, the company reserves the right to determine if a close enough family relationship exists to prohibit a supervisory relationship.

Dating and intimate relationships between an employee and his or her immediate supervisor are prohibited. Such conduct may raise questions or allegations of favoritism or conflict of

interest, adversely affect the morale of others, create an appearance of impropriety, or otherwise adversely affect our standards, overall character, public perception, and other legitimate interests. Your effectiveness may also be compromised. Anyone found to have violated this policy may be subject to immediate disciplinary action, including termination of employment.

## **Separation from Employment**

Although advance notice is not required, in all cases of voluntary resignation (i.e., one initiated by the employee), employees are asked to provide written notice to Human Resources at least two weeks before the employee's last day of work. Employees who provide at least the requested notice will be considered to have resigned in good standing and will generally be eligible for rehire.

In most cases, Human Resources will conduct an exit meeting on or before the last day of employment to collect all company property and to discuss final pay. If applicable, information regarding benefits continuation through the Consolidated Omnibus Budget Reconciliation Act (COBRA) will be sent to the employee's home address.

Where permitted by law, the company may withhold from your check or final paycheck the cost of any company property not returned when required. The company may also take other appropriate action to recover or protect its property.

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# Workplace Safety

## Substance Abuse Policy

Titan Property Management's policy is to maintain a safe and productive, drug- and alcohol-free work environment for employees and others doing business with the company. The company will not tolerate any substance abuse by an employee that will endanger themselves or other employees or threaten the business in any way.

Employees are expected to report to work physically and mentally prepared to perform their assigned tasks competently and safely. The use, presence in the body, or reporting to work under the influence of alcohol, illegal drugs or their metabolites, and other dangerous substances by an employee limits the ability to exercise sound judgment, react appropriately in unexpected situations, perform tasks safely and efficiently, and endangers not only that employee, but other employees, customers, suppliers, contractors, and the public. The company has implemented this Substance Abuse Policy to eliminate these problems and to meet the objectives listed below.

This Policy outlines the practice and procedure designed to correct instances of identified alcohol and drug use in the workplace. It continues to apply to all employees and applicants for employment with the company who have received a conditional offer of employment. Human Resources is responsible for administering this, Policy.

Under this Policy, as a condition of employment or continued employment, the company possesses the right to conduct searches and pre-employment, reasonable suspicion, possession, post-accident, random, return to duty, follow-up, or both, testing. Rather than relying solely on searches and substance abuse testing to deter substance abuse, however, this Policy also contains provisions designed to encourage employees with substance abuse problems to seek appropriate medical assistance before testing positive for substances that violate this, Policy. Any questions regarding this Policy should be directed to Human Resources.

### **POLICY OBJECTIVES**

1. To maintain a safe, healthy working environment for employees, customers, visitors, vendors, suppliers, contractors, and the public.
2. To prevent personal injuries and protect the company's property, employees, customers, visitors, vendors, suppliers, contractors, and the public.
3. To prevent avoidable or harmful accidents or incidents, the consequences may drastically affect the safety and the future of the company operations.

4. To minimize absenteeism and tardiness, to improve productivity, and to ensure quality work.
5. To comply with enacted city, county, federal, and state drug use or abuse laws.
6. To notify employees that it is a condition of employment for all employees to report to work and to work without the presence of drugs or alcohol in the body and
7. To notify employees that if an injured employee refuses to submit to a test for drugs or alcohol or tests positive for alcohol or illegal drugs, the employee may be precluded from workers' compensation medical and indemnity benefits.

## **DEFINITIONS**

### **Workplace**

“Workplace” or “workplace” means any company property, offices, facilities, land, buildings, structures, fixtures, installations, automobiles, trucks, and other vehicles and equipment owned, leased, or used by the company or its related entities. Workplace also includes all areas of customer properties that are under the company’s control, or where the company employees are working, and any other work locations or modes of transportation to and from those locations while in the course and scope of employment or on the company business.

### **Illegal Drug**

“Illegal drug(s)” or “illegal drug(s)” means drugs, or the synthetic or generic equivalent of drugs, and their metabolites, which are illegal under federal, state, or local laws, including but not limited to marijuana (unless obtained and used as permitted by applicable state law for medicinal<sup>1</sup> purposes), opiates, PCP, amphetamines (which includes methamphetamines), ecstasy (MDMA), heroin, hashish, cocaine, hallucinogens, depressants, and stimulants not prescribed for current medical treatment by an accredited physician, and any other substance which causes drug-like effects, but which may not necessarily be illegal under applicable laws. It also includes 1) any illegal drugs that the federal or applicable state government declares that employers may test for; 2) any legal drug that is being used in a manner or for a purpose other than as prescribed or labeled, i.e., specifically, it includes the abuse of prescription medication; and 3) the possession of legal drugs which have not been legally obtained, e.g., theft.

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<sup>1</sup> Medical marijuana usage under the Arkansas Medical Marijuana Amendment (AMMA) is subject to Act 593 of 2017, which restricts employees in safety sensitive positions from performing those duties if a positive test result occurs. For positions that are safety sensitive as defined by Act 593, a positive test result constitutes a violation of this Policy, and appropriate action will be taken in accordance with this Policy. Likewise, if the company a “good faith belief,” as defined by Act 593, that an employee is under the influence of marijuana or has ingested marijuana in the workplace or elsewhere during working hours—even if taken in accordance with the AMMA—that employee will be required to submit to a drug test for marijuana. For positions that are not safety sensitive as defined by Act 593, a “good faith belief,” as defined in the Act, accompanying a positive test result provides a reasonable basis to constitute a violation of this Policy, and appropriate action will be taken in accordance with this Policy.

### **Legal Drug**

“Legal drug(s)” or “legal drug(s)” means any prescribed medications and over-the-counter drugs that have been legally obtained and are used solely for the purpose for which they were prescribed, labeled, or manufactured. This term includes medical marijuana lawfully obtained from a licensed dispensary located within Arkansas and used for the treatment of approved medical conditions.

### **Possession**

“Possession” or “possession” means 1) relating to illegal or legal drugs, including traces of drugs or their metabolites found in the body because of a “positive” drug test;<sup>2</sup> and 2) relating to alcohol or intoxicating beverages, means traces of alcohol or its metabolites found in the body, or blood alcohol concentration (“BAC”) or breath alcohol concentration (“BRAC”), at 0.04 or above.<sup>3</sup>

### **Drug Paraphernalia**

“Drug paraphernalia” or “drug paraphernalia” means any unauthorized material or equipment or item used or designed for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing an illegal drug, as defined in this Policy, into the human body.

### **EBT**

"EBT" means an evidential breath-testing device for alcohol, approved by the National Highway Traffic Safety Administration.

### **MRO**

"MRO" means a licensed physician responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating explanations for certain drug test results.

### **Screening Test**

"Screening test" means the initial instant testing conducted at the workplace by the on-site collector or at a designated collection facility.

## **POLICY APPLICATION**

This Policy applies to all company employees, including regular full-time, part-time, and temporary employees and applicants who have received a conditional offer of employment.

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<sup>2</sup> A positive test result for medical marijuana under Arkansas law means a result that comports with federal Department of Transportation standards or Arkansas DUI/DWI laws, whichever is lower.

<sup>3</sup> The definitions for "alcohol concentration" are found in 49 C.F.R. §382.107 and Ark. Code Ann. §5-65-204(a)(1), as of December 1, 2006, or as subsequently amended.

It does not apply to employees subject to drug and alcohol testing under Department of Transportation Regulations, which generally apply to drivers. Any employees with questions about applying for this policy should contact Human Resources. Compliance with the Policy is required as a condition of employment or continued employment with the company.

To the extent that any provision of this Policy contradicts or violates any State or local law or regulation, that provision is considered modified to the extent necessary to comply with the applicable State or local law. Suppose a court or agency with appropriate jurisdiction determines that any provision of this Policy is invalid. In that case, that determination will not void or invalidate the remaining provisions of the Policy, and the company retains sole discretion regarding interpreting the rest of the Policy.

The company maintains the right to modify or change this Policy at any time, without advance notice, as circumstances require.

### **PROHIBITED ACTS**

The following acts or conduct constitute violations of this Policy:

#### **Illegal Drugs**

The use or possession of illegal drugs in the workplace or during working hours; the sale, distribution, purchase or transfer, or attempt to do the same, of illegal drugs at any time or place; or the possession of illegal drug paraphernalia by employees in the workplace or during working hours.

#### **Alcoholic or Intoxicating Beverages**

The unauthorized use or possession of alcohol or intoxicating beverages in the workplace or during work hours is a violation of company policy. Additionally, a BAC or BRAC at 0.04 or above during working time violates this, Policy.

**Exception:** At specified events sponsored by the company, the possession or use of alcohol does not violate this policy. If alcohol is served at an event sponsored by the company. In that case, employees are expected to conduct themselves in such a manner so that they do not represent a danger to themselves or other employees, the public, or the company's reputation.

#### **Legal Drugs**

Any employee undergoing medical treatment, which includes the use of any drug or medication that is affecting the employee's ability to safely perform job-related functions (such as driving a vehicle, standing, lifting, etc.) must notify Human Resources in writing or via email, that the employee is using a medication and provide a written

statement from the employee's licensed healthcare provider that the employee's use of the medication will not limit or impair the employee's ability to perform their essential job functions safely. Human Resources, with the assistance of the employee's supervisor, can then contact an appropriate healthcare provider to evaluate the situation and recommend the employee's ability to continue working safely.

Any employee who exhibits behavior while taking a medication, as determined by the company to limit the employee's ability to safely perform the employee's job functions, to induce inappropriate conduct or criminal behavior by the employee, to limit the employee's productivity, to endanger other people or property, or to impact the company's public image negatively, may be required to remain off work until the employee's behavior is changed or corrected. The company reserves the right to have a licensed physician examine an employee under these circumstances.

An employee whose name appears on the label of a prescription medication must not allow any other person to consume the medication. All medicine must be in its original container, in the employee's name, and have the physician's name and prescription number on the label.

The company will not discriminate or retaliate against any employee who can perform his or her essential job functions with or without a reasonable accommodation, including the lawful use of legal drugs such as prescription pills or medical marijuana. However, any impairment to an employee during working hours resulting from the use of a legal drug may disqualify the employee from being able to perform his or her job. The company will make reasonable accommodations in compliance with federal and state law.

## **POLICY ENFORCEMENT**

### **Workplace Searches and Substance Abuse Testing (Urine or Blood)**

Searches and Inspections. To accomplish the objectives of this Policy, the company reserves the right at all times, while employees are entering, departing, or are in the workplace, or when reasonable suspicion exists, to have correctly authorized supervisors or search personnel (including drug detection dogs) conduct unannounced searches and inspections of company facilities and properties, including but not limited to, lockers, desks, file cabinets, etc., as well as employees' personal effects, including but not limited to, baggage, briefcases, handbags, boxes, bags, parcels, lunch boxes, food/beverages containers, tool boxes, outer clothing (coats, etc.) and vehicles.

Although the company will generally attempt to notify employees before searching for an employee's personal effects, searches may be initiated without prior notice and conducted at times and locations as deemed appropriate by the company. AT NO TIME will employees or others be touched, nor will any clothing be removed during these searches and inspections, although employees may be asked to empty their pockets.

An employee's refusal to consent to a search when requested by the company violates this Policy.

### **Substance Abuse Testing**

Under this Policy, the company will implement pre-employment, reasonable suspicion, possession, post-accident, return to duty, follow-up, or testing. The company reserves the right, as a condition of employment or continued employment, to request employees to submit to tests, including but not necessarily limited to urine tests, breath tests, saliva tests, blood tests, or other tests or examinations to determine the use of any illegal drugs, alcohol, or the abuse or misuse of any legal drugs prohibited in this Policy or to determine the employee's fitness for duty ("Test" or "Tests"). These Tests, which may be unannounced, may be utilized under the following circumstances:

Pre-employment Testing. Pre-employment testing is required of an applicant or candidate as a condition of employment.

Reasonable Suspicion. The company may request an employee or employees to submit to a Test when a supervisor or management has reasonable suspicion that an employee may be in possession of, using, or under the influence of illegal drugs or alcohol or abusing or misusing legal drugs, or can articulate facts which would lead a supervisor or management to be concerned about the safety of the employee, other employees, the safety of the general public, or the risk of damage to property, due to an employee's mental or physical condition or behavior.

Furthermore, the company may request an employee or employees to submit to a Test when the company has a reason to believe that specific individuals, groups, shifts, or all or portions of groups, shifts, or those at an entire location or work area are: 1) suspected of using or are in possession of illegal drugs, alcohol, drug paraphernalia; 2) abusing or misusing legal drugs; 3) when any of these items are found in an area controlled or used by a designated employee or employees; or 4) in possession of legal drugs which have not been legally obtained, e.g., theft.

Possession. The company may request an employee or employees to submit to a Test if an employee is found in possession of suspected illegal drugs, alcohol, or drug paraphernalia.

Post-Accident. If an employee suffers an on-the-job injury or if a serious or potentially serious accident or incident occurs in which safety rules and procedures were violated, equipment or property was damaged (including but not limited to automobiles, trucks, and other equipment) or careless acts were performed, the company will request all employees potentially involved to submit to a Test. If an employee or other person in the workplace fails to use prescribed personal protective equipment while working in the workplace or on the company's working time, or on the premises of a customer, the company may request all employees potentially involved to submit to a Test.

Return to Duty and Follow-Up. When an employee returns to work from a disabling injury, extended absence, or illness, or upon completion of an approved substance abuse treatment or counseling program, the company may request the employee submit to a Test as a condition of reinstatement. The company may continue to request Follow-Up Tests, including unannounced Tests, as permitted by applicable law after reinstatement.

Random. All employees may be subject to random drug testing. In the event of random testing, a computer program or other bias-free employee selection method will be used to ensure random selection.

Consent to Testing. Each employee/applicant must sign a consent form for the testing procedure. Any employee who refuses to submit to drug and alcohol testing requested under the terms of this Policy will be subject to termination of employment and denial of re-employment opportunities. Any applicant who refuses to submit to a Test under the terms of this Policy will not be considered for employment.

### **Specimen Collection, Testing Procedure and Results**

Specimen Collection and Testing Procedure. Urinalysis is the method normally employed for testing for the presence of drugs, but the company reserves the right to utilize other methods. The collection of a specimen shall be observed if the professional collection specialist believes that the individual providing a specimen has attempted to or has substituted, tampered with, adulterated, or provided a dilute specimen.

If the screening test results are positive, a confirmation test will be performed to corroborate them. The confirmation test results are controlling.

The laboratory will retain a portion of all positive specimens for one (1) year. Any employee who tests positive may have a test performed on the retained portion of the specimen, at the employee's expense. The company will always retain control of the

specimen, including transportation to and from the approved retesting laboratory. Consideration will be given to the results of the retest. However, those results are not binding upon the company.

Breath or saliva testing will be the methods normally employed to detect alcohol. Still, the company reserves the right to utilize other methods, including those permitted under state and federal law. A saliva or breath specimen will first be obtained from the employee or applicant, and a test will be performed. If the results are positive, an EBT or other test will be utilized for a confirmation test. The results of the confirmation test are controlling.

#### Test Results:

- a. Medical Review Officer. The company utilizes the services of an MRO to review Test results. The MRO makes all determinations regarding Test results provided by applicants or employees.
- b. Dilute Specimens. A dilute specimen has creatinine or specific gravity values that are lower than expected for human urine. A dilute specimen is not a valid specimen and will not be accepted for further testing. If an employee or applicant provides a dilute specimen, the company will require the employee or applicant to provide a specimen that is not diluted within six (6) hours of the initial specimen collected, or the end of the employee's shift, whichever is shorter. Upon refusal to provide a non-dilute specimen, the company will classify the dilute specimen as a positive test result and apply appropriate disciplinary action, including termination of employment (for employees) and refusal to consider an applicant for employment further. Suppose an applicant or employee is asked to provide a second specimen and provides a second dilute specimen. In that case, the second dilute specimen will be considered a "positive" result pursuant to this Policy.
- c. Adulterated, Diluted, or Tampered-With Specimens. Suppose an applicant or employee provides a specimen that the company believes has been adulterated, diluted, or tampered with. In that case, the company will classify the situation as a refusal to provide a valid specimen and request a second specimen within six (6) hours of the initial specimen collection or the end of the employee's shift, whichever is shorter. Suppose an applicant or employee is asked to provide a second specimen and provides a second adulterated, diluted, or otherwise tampered-with specimen. The second specimen will be considered a "positive" test pursuant to this Policy.
- d. Drugs. A positive test result occurs when the initial screening and the confirmation test indicate the presence of the drug(s) for which the test was

conducted. A positive test result is a violation of this Policy.<sup>4</sup>

A negative test result occurs when either the initial screening or the confirmation test indicates the absence of the drug(s) for which the test was conducted.

Suppose the employee tests positive for a substance for which the employee could have a valid explanation, i.e., a legal drug. In that case, the MRO will request the employee to explain the positive test result, including, but not limited to, documents or a container demonstrating a current and valid prescription from a physician for the drug or medication that caused the positive test result. After considering the employee's explanation, if the MRO determines that the employee has a valid explanation for the positive test result, e.g., the employee is taking a legal drug, the MRO will consider the test result as a negative. The company nevertheless retains the right to ensure that the employee can safely perform the functions of the employee's position and that the employee's use of the drug or medication does not constitute a threat of harm to others.

- e. Alcohol. A positive test result occurs when both the initial test and the confirmation test indicate the presence of alcohol equal to or greater than 0.04. A positive test result is a violation of this Policy. A negative test result occurs when either the initial or confirmation test indicates the absence of alcohol.
- f. Admissions of Policy Violations. An employee or applicant's admission to conduct or behavior that constitutes a violation of this Policy is considered the same as a violation. Therefore, it may result in disciplinary action up to and including termination of employment (for employees) or refusal to consider the applicant for employment further. The decision of what actions may be taken is within the company's sole discretion.

## **POTENTIAL ACTIONS FOR VIOLATIONS OF THIS POLICY**

### **Applicants for Employment**

Any applicant who tests positive for illegal drugs or alcohol will not receive any further consideration for employment. Any applicant who provides a dilute specimen(s) will typically not receive further consideration for employment. However, the company reserves the right to allow an applicant to provide one or more substitute specimens

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<sup>4</sup> Refer to note 2, above, for the definition of a positive test result for medical marijuana. Refer to note 1, above, for the consequences of a positive test result for medical marijuana under the AMMA.

under conditions that will ensure the specimen's integrity, which may include observed collection procedures.

**Refusal to Submit to Search, Inspection, or Substance Abuse Testing**

Any applicant or employee who refuses to submit to a search, inspection, or substance abuse testing, including the procedures utilized in connection with the testing, as described in this Policy, will be terminated (employee) or will not be further considered for employment with the company (applicant).

**Sale, Distribution, Transfer, or Purchase, or Attempt to do the Same of Illegal Drugs, While in or Outside the Workplace**

Any employee discovered manufacturing, distributing, transferring, dispensing, purchasing, or attempting to do the same illegal drugs, whether in or outside the workplace, for trafficking, profit, or personal gain or pleasure, may have his or her employment terminated.

**Conviction of Illegal Drug Offense**

As a condition of employment, any employee must notify Human Resources of any conviction for drug-related offenses, regardless of whether the violation occurred in the workplace or while on the job. "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body responsible for determining violation of federal, state, or local criminal statutes. The employee must report the conviction no later than five (5) days after the conviction. Refusal or failure to report a conviction as outlined above constitutes a violation of this Policy.

Any employee convicted under federal, state, or local law of any offense relating to illegal drugs may terminate his or her employment if the conviction affects the employee's attendance or job performance, damages the company's reputation, or is required under-regulated governing bodies.

**Substitution, or Alteration of, or Tampering with Specimens**

Any employee or applicant whom the company believes has, or who has attempted to, in any manner, degrade, dilute, switch, alter, or tamper with, a specimen to be submitted for drug or alcohol testing may have his or her employment terminated (employee) or not considered further for employment (applicant). Alternatively, the company may request the employee or applicant to provide another specimen within six (6) hours of the initial specimen collection or the end of the employee's shift, whichever is shorter, under conditions that will ensure the specimen's integrity, including observed collection procedures. Suppose an employee or applicant provides a dilute specimen. Still, the company does not have evidence that the employee or applicant has intentionally degraded, diluted, switched, altered, or tampered with that

specimen. In that case, the company may request the employee or applicant to provide another specimen within six (6) hours of the initial specimen collection or the end of the employee's shift, whichever is shorter, under conditions that will ensure the integrity of the specimen, which may include observed collection procedures. The company reserves the right to terminate the employment of any employee or refuse to consider further any applicant for employment who provides one or more dilute specimens.

**WARNING: In Arkansas, adulterating or substituting a specimen sample or attempting to do so is considered a crime!**

**Observed Use or Possession of Illegal Drugs While on or Off the Job, and Observed Use, Consumption, or Possession of Alcohol While on the Job**

These circumstances will result in immediate suspension without pay, and the employee may be subjected to Tests and further investigation to determine the nature and extent of the employee's involvement with the illegal drug(s) and alcohol. If the investigation reveals that the employee violated this Policy, the employee will have his or her employment terminated. If the investigation reveals otherwise, the employee will be returned to work and paid for the time off.

**Suspected Use, Consumption, or Possession of Illegal Drugs or Alcohol While on the Job, Reasonable Suspicion, or Post-Accident (If Circumstances Warrant Post-Accident Testing)**

These circumstances will result in immediate suspension without pay, and the employee will be subjected to Tests (see the Post-Accident testing procedure above) and further investigation to determine the nature and extent of the employee's involvement with the illegal drug or alcohol. If the investigation reveals that the employee violated this Policy, the employee will have his or her employment terminated. If the investigation reveals otherwise, the employee will be returned to work and paid for the time off.

**Random**

Any employee who tests positive for a prohibited substance as the result of a random test will have his or her employment terminated.<sup>5</sup>

**Return to Duty and Follow-Up**

Any employee who tests positive for illegal drugs on a Return to Duty Test following a disabling injury or an extended absence or illness will have his or her employment terminated.

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<sup>5</sup> Refer to note 2, above, for the definition of a positive test result for medical marijuana. Refer to note 1, above, for the consequences of a positive test result for medical marijuana under the AMMA.

**Use of or Unusual Behavior Attributable to Legal Drugs of Which the Company Has Not Been Notified<sup>6</sup>**

These circumstances will result in immediate suspension without pay. The employee may then be subjected to Tests, a medical examination, or both. Assuming a positive confirmation Test result or information suggesting that the employee's use of the legal drug prevents the employee from safely performing the functions of the employee's position or creates the likelihood of harm to others or property damage, the employee will either be required to remain off work without pay until the situation is corrected or if that action is not feasible. The employee will be subject to alternative action, up to and including termination of employment.

**Effect Of a Positive Test Result On An Employee's Unemployment Claim.**

A positive test result for illegal drugs or alcohol could result in an employee being denied or receiving reduced unemployment benefits under applicable state law.

**Known Taking of Legal Drugs**

Suppose an employee is undergoing medical treatment, and the employee properly informs Human Resources of the medical treatment, yet the employee subsequently exhibits behavior suggesting a lack of fitness for duty to the extent that the employee cannot perform his or her assigned responsibilities, with or without an accommodation, or the employee poses a substantial risk of harm to the employee or others. In that case, the employee may be sent home or referred to the employee's physician. The employee will be required to remain off the job work without pay until the condition is corrected.

**CONFIDENTIALITY**

All searches, inspections, and specimen collection will be performed with concern for each employee's personal privacy, dignity, and confidentiality. The results of any testing performed under this Policy will be kept confidential and disseminated on a "business need-to-know" basis or as legally required. Any employee who inappropriately discloses confidential information about another employee may be subject to discipline, up to and including termination of employment. However, the discovery of illegal drugs, legal drugs being abused or misused, alcohol, drug-related paraphernalia, stolen property, or other prohibited items discovered through these searches and inspections may result in the proper law enforcement authorities being notified.

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<sup>6</sup> See Potential Actions for Violations of this Policy, above.

## **ADMINISTRATION**

Any applicant or employee's violation of the company's policies or procedures during the company's enforcement or attempted enforcement of this Policy may also be considered a violation of this Policy. It may result in disciplinary action up to and including termination of employment (employee) or refusal to further consider the applicant for employment.

The company will broadly interpret this Policy to achieve Its Objectives. This Policy may be amended as necessary to meet the requirements of federal, state, county, or city law. The company reserves the right to modify or amend this Policy with or without advance notice to employees.

### **Smoke-Free Workplace**

Smoking is not allowed in any work area at any time. Employees should smoke only in their company-provided residence area when on company-owned or company-leased property. "Smoking" includes the use of any tobacco product (including chewing tobacco), electronic smoking devices, vaporizers, and e-cigarettes. Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and adequately. Violations of this policy may result in disciplinary action, including termination of employment.

The company will not discriminate or retaliate against an employee who complains of a violation of this policy or furnishes information concerning a violation of this policy. Accordingly, employees may report smoking violations without fear of discrimination or retaliation.

### **Workplace Violence Prevention**

**Titan Property Management** is committed to providing our employees with a safe, violence-free workplace. Due to this commitment, we maintain a zero-tolerance policy towards workplace violence. Any form of workplace violence committed by or against employees (regardless of job title or affiliation), customers, or vendors is unacceptable. It will be cause for investigation and subject to action by the company.

"Violence" is any severe act of aggression or any physically threatening statement to the company or an individual, whether personal (such as physical or emotional) or impersonal (such as property damage or theft). Violent activities or potentially dangerous behavior prohibited by these rules shall include but not be limited to causing physical injury to another person, using threats of physical violence that create a reasonable fear of possible injury to another person, or subjecting another person to emotional distress related to that behavior; or intentionally damaging the company's property or the property of other employees.

Every employee must ensure that his or her conduct does not include or imply a breach of this policy. Any conduct considered violent or physically threatening may, at the company's discretion, subject an employee to disciplinary action up to and including termination of employment. Although it is not possible to define every possible instance of unacceptable violent conduct, the following non-exhaustive list provides examples of prohibited behavior:

1. The use of physically threatening language.
2. The possession of firearms, explosives, weapons (including hunting weapons), or other potentially lethal weapons on company premises or property (excluding firearms stored out of sight inside a locked, private vehicle on the company parking lot or otherwise possessed by state law).
3. Fighting with or assaulting a co-worker, supervisor, customer, or visitor.
4. Threatening physical violence to or physically intimidating a co-worker, supervisor, customer, or visitor.
5. Retaliating against another employee for having reported inappropriate conduct or for having cooperated in an investigation of inappropriate conduct.
6. Intentionally preventing another employee from performing his or her work; and
7. Theft, destruction, defacement, or misuse of company property or of the property of another employee, customer, or visitor.

Any employee who violates this policy is subject to immediate disciplinary action, up to and including termination of employment. Any employee who witnesses or is the recipient of violent behavior must promptly inform their supervisor, manager, or the Human Resources Department. All threats will be promptly investigated. Under this guideline, no employee will be subject to retaliation, intimidation, or discipline because of reporting a threat in good faith. All reports of work-related physical threats or other workplace violence will be kept confidential to the extent possible, investigated, and documented.

Nothing in this provision is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## Searches

Access to **Titan Property Management's** premises is conditioned upon its right to inspect or search for any employee or visitor's person, vehicle, or personal effects. This may include, but is not limited to, any employee's company-provided housing, locker, desk, file cabinets, etc., as well as employees' personal effects, including but not limited to baggage, briefcases,

handbags, boxes, bags, parcels, lunch boxes, food/beverages containers, toolboxes, outer clothing (coats, etc.) and vehicles. AT NO TIME will employees or others be touched, nor will any clothing be removed during these searches and inspections, although employees may be asked to remove their jackets or coats and empty their pockets.

Because even a routine inspection or search might result in viewing an employee's possessions, employees are encouraged not to bring any personal property into the workplace that they do not want to be revealed to the organization. Employees do not, and should not, have any expectation of privacy for any personal property brought onto the company's premises.

Any prohibited materials (or materials that may be found to be prohibited) found in an employee's possession during an inspection or search will be collected by management and placed in a sealed container or envelope. The employee's name, date, and circumstances under which the materials were collected and by whom they were collected will be recorded and attached to the container or written on the envelope. If, after further investigation, the collected materials prove not to be prohibited, they will be returned to the employee, and the employee will sign a receipt for the contents. If the prohibited materials prove illegal and dangerous, they will not be returned to the employee but turned over to the appropriate law enforcement agency.

Although the company will normally attempt to notify an employee before searching for the employee's personal effects, inspections or searches may be made of anyone entering, leaving, or on the premises or any company property (including alcohol and drug screens or other testing). Refusal to cooperate in any requested inspection or search (including alcohol and drug screens) is grounds for termination of employment.

## **Commitment to Safety**

Protecting the safety of our employees and visitors is the most important aspect of running our business. Employees, supervisors, and managers must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

Please observe the following precautions:

- Notify your supervisor of any perceived emergency. If you are injured or become sick at work, no matter how slight, you must inform your supervisor as soon as possible and no later than seventy-two (72) hours after the illness or injury.
- The use of alcoholic beverages or illegal drug substances or the abuse of legal prescription drugs during working hours will not be tolerated. The possession of alcoholic beverages or illegal drug substances while on duty or on the company's property is forbidden.
- Use, adjust, and repair machines and equipment only if trained and qualified.

- Get help when lifting or pushing heavy objects.
- Understand your job fully and follow all lawfully issued instructions from a supervisor. Ask your supervisor if you are unsure of the safe procedure.
- Know the locations, contents, and use of first aid and firefighting equipment.
- Wear personal protective equipment (PPE) for your job whenever necessary. You may request PPE from your supervisor when needed.
- A violation of a safety precaution is an unsafe act. A violation may lead to disciplinary action, including termination of employment.

Employees should immediately report any potentially dangerous situation to a manager and/or Human Resources. Human Resources will investigate the alleged situation promptly. Call 911 if you feel you or another employee are in immediate danger. Any employee who violates these rules is subject to immediate disciplinary action, up to and including termination of employment. No employee will be discriminated against or retaliated against for reporting a suspected dangerous situation under this policy.

Please direct any questions about safety procedures to your supervisor or Human Resources.

## **Weather Closings**

**Titan Property Management** will always attempt to be open for business during the average working time, except for the holidays identified in this handbook. However, the company recognizes the possibility of weather-related events that may prevent it from opening on a particular day. Should this occur, a mass e-mail, text, or phone call will be sent to all employees, and managers will make every attempt to contact their direct reports to advise them.

It is the employee's responsibility to determine if weather conditions are safe to travel. Employees are expected to make every effort to travel to work and arrive on time safely. However, employees must use their best judgment when traveling to work in inclement weather. If you do not plan to report to the office because of the weather, please notify your supervisor before 8:00 a.m. and arrange for a late arrival or absence. Non-exempt employees who cannot report when the office is open may either use accrued PTO hours or the absence will otherwise be unpaid. Exempt employees may be paid time off when necessary to comply with state and federal wage-and-hour laws.

If the company officially closes during the day to permit employees to leave early, non-exempt employees working on-site as of the closing will be paid for actual hours worked.

## **Weapons Policy**

**Titan Property Management** prohibits all persons who enter Company property from carrying a handgun, firearm, or weapon of any kind, regardless of whether the person is licensed to carry the weapon or if a license is not required. The definition of "weapons" includes

ammunition, stun guns, bows, arrows, hunting knives, pellet guns, batons, blackjacks, brass knuckles, and explosives (including fireworks). This prohibition applies to all employees, visitors, vendors, clients, and contractors. The only exceptions to this policy will be on-duty law enforcement officers and employees who store personal firearms in their private automobiles while in a parking lot on Company property under the provisions below. This policy extends to all Company property, including, without limitation, all company-owned or company-leased buildings, premises, and vehicles under the Company's ownership or control. Company vehicles are always covered by this policy, regardless of whether they are on Company property. Company-sponsored hunting trips are exempt from the requirements of this section.

As mentioned above, employees may store personal firearms in their private automobiles while in a parking lot on Company property under the following circumstances (**all of the following requirements must be met**):

1. The employee lawfully possesses the firearm and
2. The employee stores the firearm out of sight inside the employee's locked private vehicle in the company parking lot.

Employees who store a lawfully owned firearm in a locked, private vehicle on Company property must notify Human Resources that the employee has the weapon stored in his/her automobile while on company property. The Company may take disciplinary action, such as prohibiting an employee's ability to store firearms in a private vehicle, if the following occurs:

1. The Company reasonably believes the employee does not legally possess a firearm.
2. The employee is the subject of active or pending disciplinary proceedings.
3. The employee is adjudicated mentally incompetent or not guilty in a legal proceeding because of mental disease or defect or
4. As otherwise authorized by applicable laws.

All employees are also prohibited from carrying a weapon while performing their job or any task on the Company's behalf, whether or not they are on the Company property at the time, and whether or not they are licensed to carry a weapon. This policy also prohibits weapons at any Company-sponsored function, such as a party or picnic.

This policy does not cover legal chemical dispensing devices like pepper sprays sold commercially for personal protection. If you have a question about whether an item is covered by this policy, please call your supervisor or Human Resources. You are responsible for ensuring beforehand that any item you possess is not prohibited by this policy. Failure to abide by all terms of this policy may result in disciplinary action up to and including termination of employment.

This policy should not be interpreted to create any duty on the company's part to take any actions beyond those currently required of an employer under existing law. For your safety and those around you, if you become aware of anyone violating this policy, please immediately report it to Human Resources.

# Workplace Guidelines

## Attendance

Punctual attendance is an essential function of every position at **Titan Property Management**. All employees are expected to arrive on time and ready to work every day they are scheduled to work.

Absenteeism and tardiness place a burden on other employees and on the company. If you are unable to arrive at work on time or will be absent for an entire day, you must notify your supervisor as soon as possible and before the absence or late arrival occurs. Excessive absenteeism or tardiness will result in discipline up to and including termination of employment.

Personal issues requiring time away from work, such as doctor's appointments or other matters, should be scheduled during your nonworking time if possible. Suppose you must be absent for more than two consecutive days for a medical issue. In that case, you must provide your supervisor with a doctor's note beforehand, or if the absence is caused by an unexpected medical issue, on your first day of returning to work.

Failure to show up or call in for a scheduled shift without prior approval may result in discipline, including termination of employment. Suppose an employee fails to report to work or calls in to inform the supervisor of the absence for two consecutive days or more. In that case, the employee will be considered to have voluntarily resigned and will be removed from the company's payroll. Exceptions may be made on a case-by-case basis if the prolonged absence was caused by exceptional circumstances, such as a severe medical issue that prevented the employee from notifying the company before the absence.

## Job Performance

Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they need additional ongoing feedback.

Generally, formal performance reviews are conducted annually. These reviews include a written performance appraisal and a discussion between the employee and the supervisor about job performance and expectations for the coming year. The employee shall sign the appraisal form afterward to acknowledge the performance discussion. The employee's signature does not indicate agreement with the evaluation. It indicates only that the employee has discussed and understood the completed form. Before signing, the employee will have the opportunity to write any comments desired on the appraisal form. Employees who do not write comments on the appraisal form agree with the evaluation.

## Outside Employment

Employees are permitted to work a second job if it does not interfere with their job performance with **Titan Property Management**. However, if you have accepted or plan to accept an outside position, you must notify Human Resources in writing.

Employees with a second job are expected to work their assigned schedules with the company. You will be held to the same standards as all employees and subject to the company's attendance policy and scheduling demands, regardless of any existing outside work requirements. You may not work for competitors in the company, nor may you take an ownership position with a competitor while employed by the company.

Suppose the company determines that your outside work interferes with your performance or the ability to meet the company's requirements, as they may be modified occasionally. In that case, you may be asked to terminate the outside employment if you wish to remain with the company. In limiting employees' involvement, outside employment, the company is not attempting to interfere in an employee's personal life but rather to protect the best interests of the company and all its personnel. The company cannot permit employees to pursue activities that may interfere with performing the employee's duties properly. Per the company's policies on leaves of absence, work in connection with an employee outside employment is prohibited while that employee is on a leave of absence from the company, except for a military leave of absence.

Failure to notify the company of potential conflicts of interest may result in disciplinary action, including termination of employment.

Staff members may not conduct outside work or use the company's property, equipment, or facilities in connection with outside work while on the company's working time.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## Dress and Grooming

**Titan Property Management** employees are expected to dress, groom, and act in a manner that presents an appropriate and professional image. To that end, the company provides a uniform shirt for all employees at no charge. All employees are expected to wear the provided uniform shirt while on duty, in addition to appropriate bottom wear, which could include but is not limited to, blue jeans, khaki pants, or a skirt. All clothes worn should be clean and free of holes. All employees are expected to dress in a manner consistent with good hygiene and safety. Please make your best judgment and direct any questions to Human Resources, who will make any attire decisions.

Employees who report to work unacceptably dressed will be asked not to wear the inappropriate item to work again. Alternatively, an employee may be sent home to change

clothes and must use PTO for the absence. Continued violations of this policy may be cause for disciplinary action, up to and including termination of employment.

Nothing in this policy should be interpreted as interfering with employees' free exercise of their sincerely held religious beliefs. Moreover, employees who need reasonable accommodation related to this Dress and Grooming policy for religious or medical reasons or due to pregnancy, childbirth, or related conditions should contact Human Resources.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## **Solicitation and Distribution**

**Titan Property Management** believes employees should be able to work in an environment free from interruptions of a non-work-related nature, as working time is for work. Such interruptions can be detrimental to the quality of work and efficiency and may not be respectful of others' job responsibilities and right not to be interrupted.

Thus, employee solicitation is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on "working time." "Working time" is defined as any time an employee is engaged in work tasks. Working time does not include time when an employee is on authorized or approved mealtime or break period or is on the premises immediately before or after his or her shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature during working time and, at all times, in "working areas," which includes all areas where actual work is being performed for the company, including all office areas. "Working areas" do not include break rooms, parking lots, or common areas employees share during non-working time. These guidelines also apply to solicitation and distribution by employees during working time using company-provided email, Internet, and electronic systems.

Non-employees may not solicit or distribute materials anywhere on company property or in working areas.

The company maintains its posting areas to communicate information from the company to its employees and to post notices required by law. Only designated management personnel may place notices or remove materials from the posting areas. Each employee is encouraged to review the posting areas regularly.

Violations of this policy may result in disciplinary action, including termination of employment.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## Computers, Internet, Email, and Other Resources

**Titan Property Management** provides employees with a wide variety of communication tools and resources for running day-to-day business activities. All company-provided technology, including telephone, voice mail, fax, scanner, Internet, intranet, e-mail, and text messaging, should be reserved for business-related matters during working hours. All communication using these tools should be handled professionally and respectfully.

All electronic communications contained in company-provided systems are records and property of the company. Although an employee may have an individual password to access our systems, the systems and communications belong to the company. The equipment and systems given to employees are to assist them in performing their jobs. These systems and electronic communications are accessible to the company at all times, including periodic unannounced inspections. Employees do not have, and should not have, an expectation of privacy in anything they create, store, send, or receive on company equipment or systems, including non-business-related communications.

The company reserves the right to collect, monitor, examine, copy, store, transmit, print, and use any and all information entering, leaving, residing in, or processed by any and all company-provided equipment, systems, and components used in the business setting, for any purposes the company determines appropriate, in its sole discretion, and without the permission of, or advance notice to, any employee. This right applies equally to employees' personal systems or equipment used in the workplace, during working time, or to accomplish work tasks. Employees should remember that even if they delete an email, voicemail, or other communication, a copy may be archived on the company's systems.

Information transmitted through e-mail and the Internet is not entirely secure or may contain viruses or malware, and the information you transmit and receive could damage the company's systems as well as the reputation and competitiveness of the company. To protect against possible problems, delete any e-mail messages received from unknown senders and advertisers before opening them. It also is against company policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on company computers. Confidential information, as defined elsewhere in this handbook, may not be used, downloaded, saved, distributed, or sent to a personal computer, phone, tablet, or other electronic device, a personal storage device, or a personal email account under any circumstances without advance written approval from the practice manager. Violations of this policy may result in discipline, up to and including termination of employment, even for a first offense.

All use of company-provided communications systems, including e-mail and Internet, should conform to our company guidelines/policies, including but not limited to the provisions set out in this handbook, such as the Equal Opportunity, Harassment, Confidential Information, and Conflicts of Interest.

Electronic communication systems are not secure and may allow inadvertent disclosure,

accidental transmission to third parties, and other problems. Sensitive information should not be sent via unsecured electronic means.

Office telephones are provided for business purposes. While the company recognizes that some personal calls are necessary, these should be kept as brief as possible and to a minimum. Personal use of the company's cell phones, long-distance accounts, or toll-free numbers is strictly prohibited. Abuse of these privileges is subject to corrective action up to and including termination of employment.

The company reserves the right to monitor customer calls to ensure employees abide by company quality guidelines and provide appropriate levels of customer service. Sales and customer service employees will be subject to telephone and email monitoring. Should the subject matter of any telephone conversation become personal while monitoring occurs, monitoring the call will immediately be discontinued. However, discussing personal matters while on a customer call should be kept to a minimum during working time.

Unless used for business purposes, personal cell phones must be set to a silent alert during working time while on company premises. Personal cell phone usage should be limited to lunch and break times (i.e., non-working time) whenever possible. Excessive use of personal cell phones during working time that interferes with an employee's work or affects other employees' ability to perform their job duties, in the sole discretion of the company, may result in disciplinary action, up to and including termination of employment.

Suppose you are contacted by an outside person or agency (e.g., newspapers, radio, television, or other news media) seeking an official comment or statement of the company. In that case, you should not speak on the company's behalf. You should instead make clear that you do not speak on the company's behalf and give the requester **Titan Property Management's** office number, 501-315-2075, where they will be connected with an appropriate company representative.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## **Social Media Use**

"Social media" includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's weblog or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with **Titan Property Management**, as well as any other form of electronic communication.

The company's principles, guidelines, and policies (as set out in this handbook and otherwise communicated to you) apply to online activities just as they apply to other work areas. Ultimately, you are solely responsible for what you communicate on social media. In its sole

discretion, the company may monitor content put out by employees on the Internet. An employee's Internet activity that violates company policy may result in disciplinary action, including termination of employment. If you have questions or need further guidance regarding social media use, please get in touch with Human Resources.

Ensure that your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, unlawful harassment based on protected status, or other conduct that violates the company's policies will not be tolerated and may subject you to disciplinary action up to and including termination of employment.

Do not use social media during working hours unless it is work-related, pre-authorized in writing by your supervisor, and consistent with policies that cover company-owned equipment and systems.

Do not create a link from your blog, website, or other social networking site to the company's website without identifying yourself as an employee. Never represent yourself as a spokesperson for the company or knowingly make false representations about your credentials or work. If you identify yourself online as a company employee, you should also state that your posts represent only your personal opinions and do not represent those of the company.

Staff members are encouraged to report violations of this policy. The company prohibits retaliation against any employee for reporting a possible deviation from this policy or cooperating in an investigation.

The company complies with state law concerning access to an employee's social networking account, including restrictions concerning requests for an employee's username and password information for social media accounts.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

## **Standards of Conduct**

Every employee must observe and follow **Titan Property Management's** policies and maintain proper standards of conduct at all times. Among other things, the following may result in disciplinary action, up to and including termination of employment:

- violation of the policies, procedures, rules, regulations, directives, or instructions set forth in writing or verbally by the company, including but not limited to those in this handbook.
- refusal or failure to follow a supervisor or management's lawful directions and/or

assigned work.

- poor attendance or excessive tardiness.
- falsification or misstatement of applications or time records.
- failure to work in a cooperative and courteous manner with potential and current clients of the company.
- unauthorized or illegal possession, use or sale of alcohol or controlled substances on work premises or during working time, while engaged in company activities or in company-provided vehicles.
- unauthorized possession, use, or sale of weapons, firearms, or explosives on work premises.
- theft, misuse, misappropriation, neglect, or destruction of company and/or client property, funds, supplies, or equipment.
- fighting, inflicting, or actually threatening physical harm to anyone on company and/or client premises.
- harassment, discrimination, or retaliation in violation of the company's EEO and Anti-Harassment policies.
- harassment of customers, vendors, visitors, or other members of the public.
- failure to cooperate in an investigation conducted by the company.
- performing outside work or use of company property, equipment, or facilities in connection with outside work while on company working time; and
- intentionally poor work performance.

No list of possible misconduct could be complete, so this list should not be taken as all-inclusive. Disciplinary decisions will be based on an assessment of all relevant factors. The company reserves the right to terminate the employment of an employee at any time, in its sole discretion, and for any lawful reason, if it is determined that doing so is in the best interest of the company, employees, or clients, even for a first-time offense. Failure to adhere to the company's policies will result in corrective disciplinary action.

Under normal circumstances, the company maintains a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. However, it retains the right to administer discipline in any manner it sees fit. This policy does not modify the status of employees as employees-at-will or in any way restrict the company's right to bypass steps in the progressive discipline procedure. The following steps comprise the progressive discipline procedure applicable to ordinary employee misconduct. All steps will be documented in the employee's personnel file.

**Step 1: Counseling.** When a performance problem is first identified, the supervisor will meet with the employee and (a) review the problem, (b) permit the employee to present his or her views on the problem, (c) advise the employee that the problem must be corrected, (d) inform the employee that failure to correct the problem will result in further disciplinary action which may include termination of employment, and (e) issue a written counseling notice to

the employee.

**Step 2: Reprimand.** Suppose satisfactory performance and corrective action are not achieved after Step 1. In that case, the supervisor and his or her superior will privately meet with the employee and proceed through Step 1's sub steps (a) through (d) again, and then issue a written reprimand notice to the employee.

**Step 3: Suspension.** Suppose satisfactory performance and corrective action are not achieved after Step 2. In that case, the supervisor and his or her superior will meet with the employee privately, proceed through substeps (a) through (d) again, and then issue a written notice of suspension to the employee.

**Step 4: Termination of employment.** Failure to improve performance or behavior after Step 3 can result in termination of employment.

Progressive discipline is not limited to an employee's repetition of the same type of misconduct but may also be applied to an employee with a series of unrelated problems involving job performance, attendance, and/or behavior.

The company does not guarantee that one form of disciplinary action precedes another. The level of discipline that may be imposed for any offense is based upon all factors deemed relevant to the company, including but not limited to the severity of the offense, the employee's other prior discipline(s), the employee's work history, etc. The disciplinary action imposed will be determined by the company at its sole discretion. For example, termination of employment may be the first stage in the disciplinary process. In addition, once progressive discipline has commenced, one or more stages may be omitted.

Nothing in this section is intended to preclude or dissuade employees from engaging in legally protected activities protected by state or federal law, such as discussing wages, benefits, terms and conditions of employment, and other rights with government entities.

# Time Off and Leaves of Absence

## Holidays

The company observes and allows time off with pay for the following holidays:

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

Eligible employees receive a paid holiday only if the holiday falls on a day they are normally scheduled to work. "On-call" employees may request a PTO day for each day worked on a holiday.

If one of the above holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, it will be observed on the preceding Friday. The company reserves the right to pay eligible employees in lieu of time off if the holiday falls on Saturday.

**Holiday pay.** All full-time employees are eligible for holiday pay. Full-time hourly employees become eligible after they have been actively with the company for 3 months. Full-time salaried employees may receive holiday pay immediately upon joining the company. Part-time and temporary employees, including summer employees, are not eligible for holiday pay.

Holiday pay shall be at non-exempt employee's regular straight-time rate, inclusive of shift premiums. The number of hours paid shall be determined by the average hours worked per day in the previous pay period (not to exceed 8 hours).

Time off for recognized holidays will not be considered for the purpose of computing overtime.

To receive holiday pay, an eligible non-exempt employee must be at work or taking an approved absence on the workday immediately preceding and immediately following the day on which the holiday is observed. An approved absence is a day of paid PTO. If an employee is absent on one or both of these days because of an illness or injury, the company may require verification of the reason for the absence before approving holiday pay. Holidays that fall during a leave of absence, however, are unpaid.

**Religious observances.** Employees who need time off to observe religious practices or holidays not already scheduled by the company should speak with their supervisor. Depending upon business needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to switch to a scheduled day with another employee, take PTO time, or take an unpaid day to observe the religious practice or holiday. The company will seek to reasonably accommodate individuals' religious observances.

## **Paid Time Off (PTO)**

**Titan Property Management** recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. The company provides paid time off (PTO) to full-time employees for this purpose and employees are encouraged to take PTO during the year. Part-time employees and temporary employees are not eligible to receive or take PTO.

Full-time employees will accrue PTO according to the following schedule following the employee's completion of one full year of employment with **Titan Property Management** (annual totals should be rounded to the nearest whole day):

<b><u>Service Period</u></b>	<b><u>Monthly PTO Accrual</u></b>
First Calendar Year After One-Year Anniversary	0.83 days per month (10 days per year)

Employees may not take paid PTO until they actually have earned or accrued the PTO time. New eligible employees begin to accrue paid PTO after 12 months of employment.

PTO can be used for vacation time, sick time, or to take care of personal matters. Employees must be accountable and responsible for managing their PTO to allow for adequate reserves in the event of unplanned circumstances that may require time off from work. Employees will not receive paid time off separate from any accrued PTO for an injury or illness that is verified by a healthcare provider; PTO should be taken for any such occurrence. Employees who have exhausted their accrued PTO will not be granted additional paid time off for personal reasons, injury, or illness, unless otherwise required by law.

Generally, employees should submit PTO plans to their supervisor at least 4 weeks in advance of the requested PTO date. When possible, your request will be honored, taking business needs into account. In cases where PTO cannot be scheduled in advance, such as sudden illness, injury, or emergencies, you should notify your supervisor of the absence in a timely manner.

PTO may be scheduled in increments of 1 full workday, up to a maximum of 2 weeks in a row. Managers have the right to designate when some or all of PTOs must be taken. Employees should recognize that all PTO requests may not be granted. PTO of more than two consecutive weeks requires prior approval from the employee's supervisor.

PTO is paid at the employee's base pay rate at the time of the absence. It does not include

overtime or any special forms of compensation such as incentives, commissions, or bonuses.

An eligible employee may accrue up to 15 days (120 hours) of unused PTO, at which point the employee will no longer accrue PTO until some of the accrued, unused PTO time is used. Any PTO that would otherwise be accrued but for the employee having maximum unused PTO will be forfeited and will not retroactively accrue after the employee has utilized some of the already accrued PTO.

PTO should be used in the year it is earned. Employees will be permitted to carry-over up to 5 days of accrued PTO to the following calendar year, but the carry-over PTO must be used by March 31 of the following year. Unused PTO will be forfeited. Employees are not entitled to pay in lieu of any forfeited PTO and will not be paid for any unused, accrued PTO when employment ends with the company unless otherwise required by law.

## **Family and Medical Leave**

**Titan Property Management** complies with the Federal Family and Medical Leave Act (FMLA) provisions. Employees who have worked for The company for at least one (1) year in the past seven (7) years; who have worked at least 1,250 hours during the previous twelve (12) months (unless the employee is classified as an “exempt” employee under the Fair Labor Standards Act; an employee should consult with Human Resources to determine whether the employee is classified as exempt or nonexempt); and work at location where at least 50 employees are employed by the company within 75 miles of that work site are eligible for leave under the FMLA.

The FMLA provides eligible persons with up to twelve (12) weeks of unpaid leave during 12 months for specific qualified family and medical situations. The FMLA makes it unlawful, and the company will not (i) Interfere with, restrain, or deny the exercise of any right provided under the FMLA and (ii) terminate the employment of or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA. The company has posted and will continue to display the poster entitled: **“EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT”** (WHD Publication 1420).

### **Reasons for Taking Leave:**

1. For the care of the employee’s child (birth or placement for adoption or foster care).
2. For the care of the employee’s spouse, dependent child, or parent with a serious health condition.
3. For the employee’s serious health condition.
4. For a “qualifying exigency” while the employee’s spouse, son, daughter, or parent is on covered active duty or call to covered active-duty status (or has been notified of an

impending call to order to covered active duty). A qualifying exigency includes: (1) Short-notice deployment; (2) Military events and related activities; (3) Childcare and school activities; (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; (8) Parental care; and (9) Any other leave for which the employer and employee have both agreed shall qualify as an exigency; or

5. For the care of the employee's spouse, son, daughter, parent, or next of kin, a service member with a severe illness or injury incurred or aggravated in the line of duty. Employees eligible for this type of leave may be eligible for up to twenty-six (26) workweeks of leave, rather than the usual twelve (12), during a single 12-month period.

**Definition of Serious Health Condition.** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a healthcare provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other regular daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive, full calendar days. Any subsequent treatment or period of incapacity relating to the same condition involves at least two (2) visits to a healthcare provider or one (1) visit and a regiment of continuing treatment or incapacity due to pregnancy or parental care or a chronic condition. Other conditions may meet the definition of continuing treatment. **The company requires certification of the family member's serious injury or illness before the leave begins and periodically thereafter by the family member's healthcare provider.**

**Eligibility for Military FMLA Leave.** When electing to take FMLA leave for purposes of caring for a covered service member, the following definitions apply:

"Covered service members" are current members of the Armed Forces, including members of the National Guard or Reserves, who are undergoing medical treatment, recuperation, or therapy, are otherwise in outpatient status, or are otherwise on the temporary disability retired list, for a serious injury or illness; or covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

"Covered veteran" means an individual who was a member of the Armed Forces (including the National Guard or Reserves) and was discharged or released under conditions other than dishonorable at any time during the five years before the first date the eligible employee takes FMLA leave to care for the covered veteran.

“Serious injury or illness” means an injury or illness incurred by a covered service member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the service member medically unfit to perform the duties of the member’s office, grade, rank, or rating.

In the case of a covered veteran, a “serious injury or illness” is an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; or a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service–Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or a physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

“Next of kin” means the nearest blood relative other than the covered service member’s spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered service member by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered service member has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA.

**Duration of Military FMLA Leave.** Leave to care for a covered service member with a serious illness or injury, combined with other FMLA-qualifying leave, may not exceed 26 weeks in 12 months. Military FMLA leave runs concurrently with other entitlements provided under federal, state, and local law.

**Leave Year.** Except for leave to care for an injured service member, the leave year (12 months) under this policy shall be calculated on a “rolling 12-month period” measured backward from the date an employee uses any family leave.

**FMLA and Workers’ Compensation.** When an employee is on leave due to an on-the-job injury or illness or a serious health condition under the FMLA, the workers’ compensation absence and FMLA leave will run concurrently.

**Advance Notice and Medical Certification.** Employees must utilize available PTO toward FMLA leave. Employees who request FMLA leave should consult with their managers for details on the availability of PTO. Employees must comply with the company's normal PTO policy to use PTO for FMLA leave. However, where the need for the leave is foreseeable, and if some or all of the leave will not be covered through PTO, the company requires that written notice be provided to Human Resources thirty (30) days before the leave. If leave is not foreseeable, then the employee must provide written notice to Human Resources as soon as practicable.

Employees must provide Human Resources with sufficient information to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee cannot perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a healthcare provider, or circumstances supporting the need for military family leave. Employees must also inform Human Resources if the requested leave is for a reason for which FMLA leave was previously taken or certified.

An employee requesting FMLA leave must furnish Human Resources with a medical certificate to support the need for a leave due to the employee's serious health condition or that of a family member. The medical certificate must be submitted to Human Resources within fifteen (15) days after receiving the certification forms from the company unless such submission is impracticable, and the employee has made diligent, good-faith efforts to comply with this deadline. The employee will also be required to provide periodic reports on the employee's status while on leave. Further, the employee will be required to furnish recertification from a healthcare provider if he or she requests an extension of FMLA leave, if circumstances described by the previous certification have changed significantly, or if the company has information that casts doubt on the need for continued leave. At the end of the leave, the employee will be asked to present a healthcare provider's certificate of fitness to return to work. If an employee cannot return from leave because of a serious health condition, medical certification may be required. The company also may require a second and, if necessary, a third opinion (at the company's expense) and, when the leave is a result of the employee's serious health condition, a fitness for duty report to return to work. The company may also delay or deny leave approval for lack of proper medical certification.

**Employees who remain temporarily unable to perform their jobs after exhausting FMLA leave may request extensions beyond the twelve-week limit. The request must be made reasonably in advance of the expiration of the existing leave, and any such extension must be approved by Human Resources.**

**Employment and Benefits Status.** During FMLA Leave, the company will maintain an employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. In most circumstances, employees returning from FMLA leave will be restored to their original or equivalent pay, benefits, and other employment terms. The company may find it necessary to deny reinstatement to certain highly

compensated employees, but only if it is found necessary to avoid substantial and grievous economic injury to the company's operations.

Employees who take advantage of FMLA leave will be eligible for any employment benefit that accrued before the start of the leave.

**Medical Insurance Coverage.** During FMLA leave, employees may continue participating in the company's group health plan under the same conditions as if they continued working. The company will arrange with employees requesting leave to continue paying the employee's share of the medical premium. Coverage may terminate if an employee fails to make premium payments as arranged and becomes in arrears for more than thirty (30) days. The employee may resume coverage when he or she returns from leave without having to re-qualify for insurance coverage.

Employees who are on an approved leave of absence may not perform work for self-employment or any other employer during that leave except when the leave is for military or public service or when the company has approved the employment under its Outside Employment policy and the employee's reason for FMLA leave does not preclude the outside employment. Any employee who performs work for, or accepts employment with, another employer while on FMLA leave, in violation of this policy, will be considered to have voluntarily terminated his or her employment without notice, effective the day the FMLA leave was approved.

**Use of Leave.** An employee does not need to use FMLA leave in one block. Leave can be taken intermittently or on a reduced work schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to disrupt the company's operations unduly. Leave due to qualifying exigencies also may be taken on an intermittent or reduced work schedule basis.

**Employee Responsibilities.** Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When such notice is impossible, the employee must provide notice as soon as practicable and generally comply with the company's normal call-in procedures. The company may delay leave to employees who do not provide proper advance notice of the foreseeable need for leave, absent unusual circumstances preventing the notice.

**Company Responsibilities.** The company will inform employees requesting leave whether they are eligible under the FMLA. If they are, the company will notify them of their rights and responsibilities and specify any additional information required. If employees are not eligible, the company will provide a reason for the ineligibility.

**Other Provisions.** Under an exception to the Fair Labor Standards Act (FLSA) in the FMLA regulations, hourly amounts may be deducted for unpaid leave from the salary of executive, administrative, and professional employees; outside sales representatives; certain highly skilled computer professionals; and certain highly compensated employees who are exempt

from the minimum wage and overtime requirements of the FLSA, without affecting the employee's exempt status. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of FMLA leave.

**Job Restoration After FMLA Leave.** The company will reinstate an employee returning from FMLA leave to the same or equivalent position with equivalent pay, benefits, and other employment terms and conditions. However, an employee on FMLA leave has no greater right to reinstatement or other benefits and conditions of employment than if the employee had been continuously employed during the FMLA leave period.

Certain highly compensated key employees may also be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the company's operations. A "key" employee is an eligible salaried employee among the highest-paid ten percent of employees within 75 miles of the worksite. Employees will be notified of their status as a key employee, when applicable, after they request FMLA leave. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

**Further Information.** For more information about our Family Medical Leave Policy, please get in touch with Human Resources or see the "Employee Rights and Responsibilities" poster hanging on the company's bulletin boards.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law that provides greater family or medical leave rights.

## **Military Leave**

**Titan Property Management** supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state laws. The time off will be unpaid for non-exempt employees. Accrued PTO (if any) may be used for this leave if the non-exempt employee chooses, but the company will not require the employee to use PTO. Exempt employees have may be paid time off when necessary to comply with state and federal wage and hour laws.

You must notify Human Resources and your supervisor of the need for military leave as far in advance of the leave as practicable so that the company may plan for your absence. You should provide a copy of your official orders reflecting the beginning date and expected return date and whether you have elected to use accrued paid leave. Notice is ideally given in writing via email, but oral notice is sufficient if necessary. The Uniformed Services Employment and Reemployment Rights Act of 1994 provides that notice must be given "as far in advance as is reasonable under the circumstance," Department of Defense regulations recommend thirty (30) days' notice. Advance notice will be excused in rare cases when notice is precluded by military necessity or is otherwise impossible or unreasonable.

All employees who enter military service may accumulate a total absence of 5 years and still

retain entitlement to reinstatement or re-employment rights without loss of seniority. Eligibility for reinstatement will be determined by applicable state and federal laws. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination of employment.

## **Bereavement Leave**

Regular full-time employees receive leave up to three consecutive scheduled paid days per calendar year for personal loss in the immediate family. You must use any available PTO for additional time off. Time spent on bereavement leave will not be counted as time worked to calculate overtime pay.

The company defines “immediate family” as your spouse, parent, child, sibling, grandparents, grandchildren, or step-relations for any preceding; your spouse’s parent, child, or sibling; and your child’s spouse.

Requests for bereavement leave should be made to Human Resources as soon as possible. The company reserves the right to request written verification of an employee’s familial relationship to the deceased and attendance at the funeral service as a condition of the bereavement pay.

## **Crime Victim Leave**

An employee will be allowed unpaid time off to participate at a prosecuting attorney’s request in preparation for a criminal justice proceeding or to attend a criminal justice proceeding if the attendance is reasonably necessary to protect the interests of a crime victim. Employees are eligible for this leave if they are either the victim of a crime or a representative of a crime victim.

For purposes of this policy, a victim of a crime is the victim of (1) a sex offense, (2) an offense against a minor, and/or (3) any violent crime. A representative of a crime victim is: (1) a member of the victim’s family, including a spouse, a child by birth or adoption, a stepchild, a parent or stepparent, or a sibling; or (2) an individual designated by the victim or the court in which the crime is, or could be, prosecuted.

Employees seeking crime victim leave should notify Human Resources in writing as soon as possible of their need to take such leave.

## **Organ and Bone Marrow Donor Leave**

In addition to any medical, personal, or other paid leave, the company will grant an employee a leave of absence to allow the employee to serve as an organ donor or a bone marrow donor. The employee must request this leave of absence in writing. Please get in touch with human resources for more information. This leave shall not apply if the employee is eligible for FMLA leave.

## Public Service Leave

Employees are eligible for public service leave if their absence is necessary to serve:

- In a public office in Arkansas to which they are elected; or
- On an Arkansas board or commission to which they are appointed by the Governor.

Public service leave is unpaid and will be granted for the period of time that the employee requests but will not exceed the term of office for which the employee has been elected. Employees seeking public service leave should notify Human Resources in writing as soon as possible of the need to take such leave.

## Employee Benefits

Eligibility for benefits depends upon various factors, including your employment classification and meeting the requirements of specific benefits plans. No explanation in this handbook, notices, or statements (oral or in writing) can change, add to, or detract from any of the provisions or eligibility requirements outlined in the documents governing these plans. The following sections summarize some of these benefits:

### Dental and Vision Insurance

**Titan Property Management** offers dental and vision insurance plans for employees' participation. Employees bear the costs of these plans. Any questions should be directed to Human Resources.

### Workers' Compensation

**Titan Property Management** follows all applicable state workers' compensation laws and regulations. Thus, on-the-job injuries are covered by the company's workers' compensation insurance policy, which is provided at no cost to you. The law sets forth limitations on filing claims. For this reason, if you are injured on the job, no matter how slightly, you must report the incident within 72 hours to both your supervisor and Human Resources. The supervisor will complete an injury report with input from the employee and return the form to Human Resources. Human Resources will file the claim with the insurance company.

Failure to report an on-the-job injury may result in discipline, up to and including termination of employment, and may result in the denial of workers' compensation benefits. Workers' compensation is a "no-fault" system, meaning the company will not punish or terminate an employee for reporting a work-related accident or injury.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law. In addition, employees will not be paid

PTO for approved absences covered by the company's workers' compensation program, except to supplement the workers' compensation benefits, such as when the plan only covers a portion of the employee's salary as allowed by state law.

The company is not liable for loss or damage to personal property on the company premises. Neither the company nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity, even if organized by company employees.

When an employee is released to return to work, the company will attempt to return the employee to her or his job, or one equivalent in duties and responsibilities, and at the same pay rate. An employee's failure to return to work following a health provider's release to return to work will be considered a voluntary resignation, effective the first day following the leave expiration date.

## STATE-SPECIFIC ADDENDA

The previous sections of the employee handbook are drafted in compliance with Arkansas law and are generally applicable to all employees of **Titan Property Management**. This section is only applicable to employees located and working outside of Arkansas, as may be required for compliance with state-specific laws and regulations. Thus, each of the foregoing provisions applies to employees outside of Arkansas to the extent they are not in conflict with the applicable provisions in this section. If a conflict exists, the state-specific provision in this section shall apply. The state-specific provisions may be subject to employee number thresholds. Therefore, employees should consult Human Resources to determine whether a policy is applicable.

### OKLAHOMA ADDENDUM

**This section contains provisions that only apply within Oklahoma. In some cases, there may be significant overlap between the company's general policies and those required explicitly by Oklahoma law. The addendum provisions specific to Oklahoma will be controlled if there are any differences.**

#### Pay and Benefits

**Payment of Wages:** Employees may give written consent to receive wages through direct deposit, and on that consent, the employee must indicate the bank to which they would like their wages directed. Employees will not be charged for receiving wages through direct deposit.

**Paid Time Off** An employee is only eligible to be paid for unused PTO if the employee meets the terms and conditions set out by the company or if the employee's employment is terminated for cause. Any conditions precedent for payment of unused PTO upon separation from employment must be met.

"Unused and/or Accrued PTO" is only considered an earned benefit and, therefore, payable upon the employee's termination of his or her employment if the employee terminates his or her employment due to death, retirement, or voluntarily terminates his or her employment by:

- (1) providing a two-week notice to their immediate supervisor and/or to Human Resources before termination of employment.
- (2) working all hours scheduled during the two weeks, or a shorter period as determined by management; and
- (3) returning all company-issued tools and equipment.

Employees whose employment is terminated for violation of company policies, rules, guidelines, and handbooks or for other just or proper cause are not eligible for unused PTO pay upon termination.

### **Employee Schedule**

**Voting Leave:** Whenever possible, employees should find time to vote either before or after their regular work schedule or participate in early voting opportunities. If unable to vote during nonworking hours, employees should notify their supervisor in advance of election day so that the necessary time off can be scheduled to provide the least disruption to the work schedule. The company may require proof that a vote was cast.

Employees will be given at least two hours of paid voting leave, but if due to distance from the voting place an employee needs more than two hours to vote, the company will provide sufficient time for the employee to vote. Employees are expected to take no more time to vote than necessary. Paid voting leave will not be counted as hours worked to calculate overtime.

If an employee has three or more non-working hours while the polls are open or before the polls close, then he or she will not be eligible for paid leave. Further, the company may change the work hours to allow the opportunity to vote three hours before the beginning or after the end of work. In the company's sole discretion, it may provide unpaid voting leave for those employees not eligible for paid voting leave.

**Jury Duty:** Employees summoned to jury duty are permitted time off to serve as jurors. Employees should notify their supervisor when they receive notice of possible jury duty. Time off from work for jury duty is unpaid. However, employees may choose, but are not required, to use available PTO instead of time off. The employee will keep any jury duty pay received from the court. The company does not retaliate against employees who take time off to serve on jury duty.

**Military Leave:** The company complies with Oklahoma Statute Annotated tit. 72, §§ 47 and 48.1, relating to military leave. Employees with questions regarding this leave should contact Human Resources.

**Substance Abuse Policy:** Oklahoma authorizes the use of medical marijuana. Accordingly, the company will not take adverse action against an applicant or employee in Oklahoma who tests positive for marijuana unless:

1. The applicant or employee does not possess a valid medical marijuana license.
2. The licensed applicant or employee possesses, consumes, or is under the influence of medical marijuana while at the worksite or during work hours or
3. The position involves safety-sensitive job duties.

## **EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT**

I hereby acknowledge receipt of Titan Property Management's employee handbook (June 2025 version). I have read and understood the policies in the handbook. I understand and agree that it is my responsibility to comply with them. I understand that I have had the opportunity to ask Human Resources any questions about this handbook and its provisions.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. Neither it, company practices, nor other communications create an employment contract or term. I understand that the policies and benefits in the handbook and those communicated to me in any other fashion are subject to interpretation, review, removal, and change by management at any time without notice, except the policy of at-will employment. I understand that any delay or failure by the company to enforce any rule or provision contained in this handbook will not constitute a waiver of the company's right to do so in the future.

I further understand that I am an at-will employee, that neither this document nor any other communication shall bind the company to employ me now or hereafter, and that my employment may be terminated by me or the company without reason at any time. I understand that no company representative has any authority to enter into any agreement for employment for any specific period to assure any other personnel action to assure any benefits or terms or conditions of employment, or to make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only an officer of the company may commit to employment. I also understand that if such an agreement is made, it must be in writing and signed by the company's Managing Member.

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Employee's Name in Print

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Signature of Employee

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Date Signed by Employee

**TO BE PLACED IN THE EMPLOYEE'S PERSONNEL FILE**

## **Acknowledgement and Receipt of Anti-Harassment Policy**

I hereby acknowledge receipt of **Titan Property Management's** Anti-Harassment Policy, as set forth in the company's employee handbook (June 2025 version). I have read and I understand the Anti-Harassment Policy and agree that it is my responsibility to comply with said policy. I understand that I have had the opportunity to ask Human Resources any questions I have about the policy.

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Employee's Name in Print

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Signature of Employee

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Date Signed by Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**