



EMPLOYEE HANDBOOK

Revised June 1, 2023

Heartland Tank, LLC
6750 E Coleman Rd, Ponca City, OK, 74604

TABLE OF CONTENTS

6750 E Coleman Rd, Ponca City, OK, 74604	0
WELCOME TO HEARTLAND TANK	1
SECTION 1	2
INTRODUCTION AND IMPORTANT NOTICES	2
1.1 About Heartland Tank	2
1.2 About This Handbook	2
1.3 At-Will Employment	3
1.4 Enforcement of Policies	3
1.5 Conduct Not Prohibited	3
1.6 Open Communication	3
1.7 Grievance Procedure/Internal Complaint Process	4
1.8 Immigration Law Compliance	4
1.9 Communications by Heartland Tank	5
1.10 Definitions	5
SECTION 2	9
EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT AND PROHIBITION OF DISCRIMINATION	9
2.1 Commitment to Equal Employment Opportunity	9
2.2 Reasonable Accommodation	9
2.3 Prohibition Against Discrimination and Harassment	10
2.4 Prohibition Against Retaliation	13
SECTION 3	15
STANDARDS AND CODE OF ETHICS	15
3.1 Business Ethics and Conduct	15
3.2 Confidential Information	16
3.3 Conflicts of Interest	18
3.4 Outside Employment	19
3.5 Relationships with Co-Workers, Vendors, and Customers	19
3.6 Solicitation and Distribution	20
3.7 Social Media and Social Networking	21
3.8 External Communication: Media Inquiries/Reference Requests	25
3.9 Personal Appearance/Dress	25
3.10 Attendance, Punctuality, and Absences	25
3.11 Devices in the Workplace	27

Revised June 2023

This document contains proprietary and Confidential Information. All rights are reserved.

3.12	Monitoring and Recording of Others Not Permitted.....	27
3.13	Cost Control	28
3.14	Reporting Suspected Wrongdoing.....	28
3.15	Company Property, Usage, and Employee Responsibility.....	29
3.16	Use of Company Vehicles	30
3.17	Use of Devices for Work	31
SECTION 4.....		34
WORKPLACE SAFETY AND SECURITY.....		34
4.1	Health and Safety in the Workplace.....	34
4.2	Procedure for Reporting Workplace Injuries and Illnesses	35
4.3	Medical Emergency	36
4.4	No Retaliation for Reporting Workplace Injuries, Illnesses, or Health and Safety Concerns	36
4.5	Return to Work After Serious Injury or Illness.....	36
4.6	Employee Medical Examinations/Fitness for Duty.....	37
4.7	Use of Smoking/Smokeless Tobacco.....	37
4.8	Alcohol and Drug Free Workplace and Testing	37
4.9	Personal Protective Equipment Requirements	40
4.10	Weapons in the Workplace.....	42
4.11	Workplace Violence Prevention	43
4.12	Personal Visitors.....	44
4.13	Driving for Business and Safe Driving Practices.....	44
4.14	Emergency Action Plan	46
4.15	Emergency Closings	47
4.16	Loss of Property	47
4.17	IT Resources and Communications Systems.....	48
4.18	Document Retention and Destruction	52
4.19	Employee Privacy	53
4.20	Workplace Searches.....	53
4.21	Maintenance of Work Areas and Employee Break Room	53
SECTION 5.....		54
WORK SCHEDULE AND PAY PRACTICES.....		54
5.1	Standard Business Hours/Work Schedule.....	54
5.2	Timekeeping.....	55

5.3	Lunch Break and Nursing Mother Breaks	55
5.4	Overtime	56
5.5	Employment Classifications and Categories	57
5.6	Pay Procedures and Payroll	58
5.7	Payroll Deductions and Setoffs	58
5.8	Business Expense Reimbursement and Company-Issued Credit Cards.....	59
5.9	Garnishments	62
SECTION 6		63
EMPLOYEE BENEFITS		63
6.1	Introduction – Overview of Benefits	63
6.2	Worker’s Compensation.....	63
6.3	Holidays	64
6.4	Paid Time Off.....	65
6.5	Unpaid Leave of Absence	67
6.6	Jury Duty	68
6.7	Time Off to Vote.....	68
6.8	Military Leave.....	69
SECTION 7		69
ORIENTATION PERIOD, PERSONNEL FILES, AND CAREER		
DEVELOPMENT		69
7.1	Orientation Period	69
7.2	Personnel Records and Personnel Files.....	70
7.3	Background Investigation	71
7.4	Performance Evaluation.....	71
7.5	Corrective Action/Discipline.....	71
7.6	Employment Termination	73
7.7	Exit Interview	74
7.8	Return of Company Property	74
7.9	Final Paycheck.....	74
7.10	Rehire	75
ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING OF THE		
HEARTLAND TANK’S EMPLOYEE HANDBOOK		76

WELCOME TO HEARTLAND TANK

Heartland Tank, LLC (“Heartland Tank”) would like to personally welcome you to the Company. It is an exciting time for Heartland Tank as we continue to grow. This Employee Handbook (“Handbook”) has been prepared to help you understand the employment practices of the Company and some of the fringe benefits we offer. We will discuss our procedures and the privileges you may enjoy as an employee of Heartland Tank. This manual has been revised and replaces any previous statement(s) of employment policies.

The principal objective of our personnel program is to develop a staff whose efficiency, loyalty, and teamwork will make Heartland Tank an outstanding organization, with the main goal being to give outstanding service to our Customers. As the Company grows it is important that every employee be thoroughly familiar with our personnel policies. A staff well informed about the Company’s policies and the real spirit of teamwork will accomplish this objective. Complete teamwork involves effort and cooperation by managers, supervisors, and employees who all make up Heartland Tank’s team.

An employee’s responsibilities include the giving of their time and energy, maintaining a positive attitude, always working toward the betterment of the company, and remembering that we are all here to serve the Customer.

Nothing contained in this Handbook is intended to create, nor shall it be construed as creating, an expressed or implied contract of employment or guarantee of employment for any term.

Welcome to Heartland Tank; we look forward to working with you!

SECTION 1

INTRODUCTION AND IMPORTANT NOTICES

1.1 About Heartland Tank

Heartland Tank, LLC (“Heartland Tank” or “Company”) was established in 2007 and now has two generations of family-owned business experience that has developed high-quality, competitive services. We concentrate our efforts on maintaining the highest level of customer service, as repeat business is the success story behind our tanks.

It is Heartland Tank’s commitment to safety and good business practice of training and retaining employees that produce well-built tanks.

We are located at 6750 E Coleman Rd, Ponca City, OK, 74604. Our main phone number is (580) 762-0368; the fax number is (580) 762-8368; and you can learn more about the Company at Heartland Tank’s website, <https://heartlandtank.com/>

1.2 About This Handbook

This employee Handbook (“Handbook”) contains information about the employment policies and procedures of Heartland Tank and an overview of the Company’s benefits. It applies to all employees of the Company. For specific information about employee benefits, you should refer to the Plan Documents, which are controlling. The policies and procedures in this Handbook are guidelines only.

The Company may interpret, apply, enforce, and administer the provisions of this Handbook as needed. Heartland Tank has the maximum discretion permitted by law to change, modify, or delete any provision of this Handbook at any time and apply the policies as it deems best, except for the policy of at-will employment, which can only be changed in writing by the Executive Team.

Each employee should read and become familiar with the information contained in this Handbook. Failure to comply with the Company’s policies or procedures may result in discipline, up to and including termination. The policies and procedures herein apply to all employees, unless expressly stated otherwise.

The provisions in this Handbook are not intended to in any way create any contractual obligations with respect to your employment.

In the event that any contradiction arises between this Handbook and specific federal, state, or local laws or requirements, the law will govern in all cases.

Should you have any questions about the information contained in this Handbook, you should ask your supervisor or Manager.

1.3 At-Will Employment

Heartland Tank is an at-will employer. This means that you are free to resign your employment at any time for any or no reason. Likewise, Heartland Tank may terminate the employment relationship with you at any time, for any reason, at its discretion with no advance notice. Heartland Tank also reserves the right to transfer or demote you at any time, or otherwise modify the terms and conditions of your employment at any time, with or without cause or notice. Heartland Tank may also modify compensation, hours of employment, work location, and all other terms and conditions of employment for all employees at the discretion of the Chief Executive Officer (“CEO”) and the Chief Operations Manager (collectively the “Executive Team”).

No employee or representative of Heartland Tank other than the Executive Team have the authority to change the at-will employment relationship or to contract with any employee for different terms of employment. Furthermore, the Executive Team may change the at-will employment relationship only in a written contract, signed by the Executive Team and the individual employee.

Nothing in this Handbook or any other employee memoranda, employment applications, or other material provided to you constitutes a contract or a promise of continued employment. Employees have no contract, assurances, or guarantee of continued employment with Heartland Tank absent a written agreement as set forth in this policy.

1.4 Enforcement of Policies

A decision by Heartland Tank’s Management not to enforce any policy or practice or to grant an exception to any policy or practice is not intended to prevent and does not restrict Management’s right to insist on strict adherence to the policy or practice in the future. Violations of any policies and procedures, or reasonable suspicion of any such violations, may result in disciplinary action up to and including termination.

1.5 Conduct Not Prohibited

No policy in this Handbook is intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to, restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

1.6 Open Communication

Heartland Tank wants to maintain a positive and pleasant environment for our employees and are always looking for ways to improve. To help Heartland Tank meet this goal, Heartland Tank has an open-door policy. Employees are encouraged to present concerns or suggestions for improvement in procedures and working conditions to your supervisor so that Management may give them consideration for adoption where feasible. If something about your job is bothering you, or if you have a question, concern, idea, or problem related to your work, please discuss it with your immediate supervisor as soon as possible. Also, if you have suggestions for improvement, share those ideas with your supervisor. If for any reason you do not feel comfortable bringing the matter to your supervisor, feel free to raise

the issue with your supervisor. We encourage you to come forward and make your concerns and ideas known to Heartland Tank.

1.7 Grievance Procedure/Internal Complaint Process

Heartland Tank recognizes the value of a Grievance procedure that provides for the timely review of employee Grievances in a fair yet workable manner. A Grievance is considered to be any dispute between an employee and the Company which impacts on an employee's ability to perform their job. Problems, issues, or concerns regarding Discrimination, Harassment, retaliation, or reasonable accommodations, should be addressed in the Complaint procedures set forth in the following Policies: 2.2, Reasonable Accommodation; 2.3, Prohibition Against Discrimination and Harassment; and 2.4, Prohibition Against Retaliation.

Although purely personal matters between employees would not ordinarily give rise to a Grievance subject to this Grievance procedure, any matter that adversely affects your ability to perform your job could be the subject of a Grievance. Use good individual judgment and common sense as your guide.

If you feel you have a legitimate work-related Grievance, you should first attempt to resolve the issue through discussions with the person with whom you are having an issue. If you have exhausted those efforts or if you feel unable to have the necessary communications, contact your direct supervisor. If your Grievance is not satisfactorily resolved or if it involves your supervisor, you should bring the matter to the attention of your Manager. Every effort will be made to respond timely to your Grievance and if reasonably possible a response will be provided within ten (10) days of receiving the information. Any decision made by your Manager will be the final decision.

The times described here are guidelines. Please keep in mind that circumstances might prevent Management from meeting the exact guidelines provided. This Grievance process will only work if you use it.

1.8 Immigration Law Compliance

Heartland Tank is committed to employing only those who are authorized to work in the United States, and it does not unlawfully discriminate on the basis of citizenship, immigration status, or national origin.

In compliance with the Immigration Reform and Control Act of 1986, and any subsequent amendments, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

Former employees who are rehired must also complete the I-9, if they have not completed an I-9 with Heartland Tank within the past three (3) years, or if the previously submitted I-9 is no longer retained or valid. Any employee with an expiring work authorization must renew the authorization, or the employee will be considered to have voluntarily resigned. All offers of employment are subject to the receipt of a completed I-9 and documentation

establishing identity and employment eligibility within three (3) working days after date of hire.

You may raise questions or complaints about immigration law compliance without fear of reprisal.

1.9 Communications by Heartland Tank

Heartland Tank may from time to time communicate an office closing or other information that needs to be received by you and brought to your attention sooner than later. For those communications, Heartland Tank reserves the right to send Text Messages. As a condition of your employment, you agree to receive those Text Messages. You also agree and understand that you are responsible for any charges that may result from Text Messages sent by Heartland Tank or any that you elect to send to Heartland Tank. You understand that there may be time lags and/or delays in receiving or in sending Text Messages. Heartland Tank does not guarantee that Text Message services are available across all carriers and Heartland Tank is not liable for delayed or undelivered Text Messages or any charges that may be incurred as a result.

If you do not have a Device in which you can receive Text Messages, you should advise your supervisor immediately. Additionally, you are responsible for ensuring that your supervisor, Manager, and the Office Manager have the current contact information for the Device on which you receive Text Messages.

1.10 Definitions

The following terms are used throughout this Handbook. To assist you in understanding what is meant, please refer to the following definitions:

“CDL” means and refers to Commercial Driver’s License regulated by the Department of Transportation.

“CEO” means and refers to whoever holds the role of the Chief Executive Officer at the time and who is a member of the Executive Team; the CEO is currently Allen Hawkins.

“Chief Operations Manager” means and refers to whoever holds the title Chief Operations Manager and who is a member of the Executive Team; the current Chief Operations Manager is Cody Hawkins.

“Company” means and refers to “Heartland Tank, LLC.”

“Company Mobile Device” means and refers to any Device which is provided by the Company and is on the Company’s cellphone plan.

“Company Property” means and refers to any property, equipment, resource, or vehicle provided by the Company, including Confidential Information and Content, in furtherance of Heartland Tank’s business.

“Company Vehicle” means and refers to any vehicle owned, rented, or leased by Heartland Tank.

“Complaint” means and refers to any complaint or report of Discrimination, Harassment, or retaliation as set forth in Policies 2.2, 2.3 and 2.4.

“Confidential Information” means and refers to Heartland Tank’s Confidential Information, trade secrets, intellectual property, and proprietary information. It is any information of any kind, nature, or description concerning any matters affecting or relating to Heartland Tank’s business, operations, your service to Heartland Tank, deals, projects, and agreements which Heartland Tank is working on or engaging, and/or products, drawings, plans, processes, documents, or other data of Heartland Tank that is not readily available to the public. Confidential Information is property of Heartland Tank.

“Content” means and refers to materials, data, communications and information, including but not limited to e-mail (both outgoing and incoming), Text Messages, contacts, telephone conversations and voicemail recordings, instant messages, and internet and Social Media postings and activities created on, transmitted to, received or printed from, or stored or recorded for Heartland Tank or on behalf of Heartland Tank and is considered Company Property.

“Customers”: means and refers to current customers, former customers, and known prospective customers of Heartland Tank. When a Customer is an entity, it includes key stakeholders of the entity and the management of the entity.

“Device” means and refers to any device, whether it be a smartphone, cellphone, or other device which you receive Text Messages or phone calls and includes Personal Mobile Devices and/or a Device owned by the Company.

“Discrimination” means and refers to any discriminatory action that interferes with the terms and conditions of employment, including but not limited to hiring, training, promotion, discipline, compensation, benefits, or termination of employment, because of race, color religion, sex (including pregnancy), national origin, age, physical or mental disability, genetic information, or any other characteristic protected under applicable federal, state, local, or municipal law.

“DOT” means and refers to the Department of Transportation.

“DOT Vehicle” means and refers to a vehicle regulated by the Department of Transportation.

“Drugs” means and refers to any drug or substance, including legal, over the counter, prescription, or illegal drug which impairs your ability to perform your job duties safely or competently.

“EEO” means and refers to Heartland Tank’s Equal Employment Opportunity policy.

“EEOC” means and refers to the U.S. Equal Opportunity Commission.

“Executive Team” means and refers to the CEO and the Chief Operations Manager.

“Exempt Employee” or “Exempt” means and refers to an employee who is classified as exempt, paid a fixed salary, not entitled to overtime pay and is excluded from specific provisions of federal and state wage and hour laws.

“Fuel Credit Card” means and refers to the WEX Credit Cards provided by Heartland Tank.

“Field Employee” means and refers to employees of Heartland Tank who primarily work in the Field and who perform work offsite and in the Field.

“Field Foreman” or “Foreman” means and refers to a Field Employee who is a supervisor or manager.

“Full-Time Employee” or “Full-Time” means and refers to an employee who is not a temporary employee AND who is regularly scheduled to work (and does work) at least 40 hours a week. Most full-time employees at Heartland Tank are scheduled to work a minimum of 8 hours a day, 5 days a week.

“Grievance” means and refers to any grievance as set forth in Policy 1.7 but does not include Complaints as set forth in 2.2, 2.3, and 2.4.

“Handbook” means and refers to this Employee Handbook as updated, revised, or amended from time to time.

“Harassment” means and refers to harassment against employees or any other covered persons, because of race, color, religion, sex (including pregnancy), national origin, age, physical or mental disability, genetic information, or any other characteristic protected under applicable federal, state, local, or municipal law.

“Heartland Tank” means and refers to Heartland Tank, LLC, and any of its affiliate entities, affiliates, subsidiaries, or any partnerships or joint venture involving Heartland Tank.

“Hours Worked” means and refers to the time spent by the employee actually working, or otherwise engaged in any activity compensable by law. It does not include any time for which an employee received any type of paid time off.

“IT” means and refers to Information Technology.

“IT Designee” or “IT Staff” means and refers to the Information Technology entity or designated IT person Heartland Tank uses in handling and addressing its IT needs.

“Job Description” means and refers to any job description used by Heartland Tank to outline the duties and responsibilities of each position.

“Manager” means and refers to an employee’s second-line chain of command. If you are unsure who your second-line chain of command is, ask your supervisor.

“Management” means and refers to the Manager in your chain of command and the Executive Team.

“MRO” means and refers to a Medical Review Officer, who is a licensed physician qualified by the applicable State Board of Health to receive Drug and alcohol results from a testing facility.

“Nonexempt Employee” or “Nonexempt” means and refers to an employee who is classified as nonexempt and entitled to overtime pay, because their job duties are not exempt from the overtime provisions of federal and state wage and hour laws.

“Orientation Period” means and refers to at least the initial 90 days in which an employee is hired or assumes a new position with Heartland Tank and is considered a probationary period.

“Part-Time Employee” means and refers to employees who are employees who are not seasonal AND who are regularly scheduled to work less than **40 hours a week**.

“Personal Mobile Device” means and refers to cellphones, tablets, smartphones, handheld computers, iPhones, iPads, and wearable technology, which you personally own and was not provided to you by the Company.

“Plan Document” means and refers to the plan document governing any employment benefit program offered by Heartland Tank.

“Probationary” means and refers to an employee in the Orientation Period as either a new hire or holding a new a position within Heartland Tank and whose performance is being evaluated to determine whether further employment in a specific position or with Heartland Tank is appropriate.

“PTO” means and refers to Paid Time Off as provided for in this Handbook.

“Relationships” means and refers to relationships of an intimate, sexual, or romantic nature between consenting adults.

“Serious Injury or Illness” means and refers to an injury or illness as one that results in an absence from work for more than one (1) week and which may limit your ability to resume performance of your regular duties or assignments

“Shop Employees” means and refers to employees of Heartland Tank who primarily work in the Shop.

“Social Media” means and refers to the use of web-based and mobile applications for social interaction and the exchange of user-generated Content, as well as any other form of electronic communication. Social Media includes Facebook, LinkedIn, Instagram, Twitter,

TikTok, Pinterest, YouTube, blogs, review sites, forums, online communities, location-based networks or any other platform for Social Networking or Social Media.

“SPD” means and refers to the summary plan description related to employee benefits offered.

“Temporary Employee” means and refers to an employee who is classified as a temporary or seasonal employee and who is hired for a specific project or time frame and may work an irregular schedule.

“Vehicle” means and refers to any vehicle not owned by Heartland Tank, but is used for conducting Heartland Tank’s business, including but not limited to an employee’s vehicle, a rental vehicle, or a leased vehicle

“Workplace” means and refers to Heartland Tank’s office space, buildings, and outdoor areas; it also includes the Field and offsite locations where work is being conducted on behalf of Heartland Tank.

“Worksite” means and refers to any location where work is being performed by Heartland Tank, including Field work.

“Workweek” means and refers to the seven-day work period designated by Heartland Tank, which is specifically Monday through Sunday.

SECTION 2

EQUAL EMPLOYMENT OPPORTUNITY COMMITMENT AND PROHIBITION OF DISCRIMINATION

2.1 Commitment to Equal Employment Opportunity

Heartland Tank is an equal opportunity employer and complies with all applicable, federal, state, local, and municipal equal employment laws. Heartland Tank strictly prohibits and does not tolerate Discrimination against applicants, employees, or any other persons of race, color, religion, sex (including pregnancy), national origin, age, physical or mental disability, genetic information, or any other characteristic protected under applicable federal, state, local, or municipal law.

Heartland Tank is committed to providing and promoting equal opportunities for all applicants and employees. We will make all decisions with respect to employment based on an individual’s qualifications for the job and the needs of Heartland Tank and without regard to a person’s race, color, religion, sex, national origin, genetic information, age, disability, or any other characteristic protected by applicable law.

2.2 Reasonable Accommodation

In accordance with applicable federal and state laws, Heartland Tank will make reasonable accommodations to qualified individuals with disabilities and to those whose religious

beliefs or practices conflict with their job or any other aspect of employment, as long as the accommodation is reasonable and does not create an undue hardship for Heartland Tank.

Reasonable accommodation may include, depending upon the circumstances, modification or adjustment to a job, work environment, or the way things are usually done that enables a qualified employee to perform the essential functions of the assigned job and enjoy the equal benefits and privileges of employment.

If you wish to request an accommodation pursuant to this policy, you should submit a written request to your supervisor, Manager, and/or the Office Manager. If you are seeking an accommodation based on a disability, Heartland Tank may request a physician or health provider's certification as to the disability, the specific limitations, and the provider's suggestions as to possible accommodations for Heartland Tank's consideration in determining whether a reasonable accommodation can be afforded to you. You will be responsible for any cost associated with obtaining this certification.

If you believe that your requested accommodation was improperly denied, you should promptly contact your Manager, and/or the Office Manager as soon as possible following the denial and request reconsideration and the basis for the reconsideration in writing. If you have not received a response to your request for reconsideration within ten (10) days, please immediately contact the Office Manager, who will request a response to your request for reconsideration Management.

You should be as detailed as possible in any request for accommodation or any Complaint asserting that an accommodation request was improperly denied, including the basis for why the denial was improper, whether other options and accommodations exist, and whether the other options for accommodations were explored.

You will not be subjected to retaliation for having requested a reasonable accommodation or having requested a reconsideration, provided the requests are made in good faith. *See* Policy 2.4, Prohibition Against Retaliation.

Any decision made by Management as it relates to an accommodation request is final.

2.3 Prohibition Against Discrimination and Harassment

Heartland Tank strictly prohibits and does not tolerate Discrimination or Harassment against employees, vendors, contractors, applicants, Customers, visitors, or any other covered person, because of race, color religion, sex (including pregnancy), national origin, age, physical or mental disability, genetic information, or any other characteristic protected under applicable federal, state, local, or municipal law.

Heartland Tank expects all employees to assist in ensuring that the concepts of Equal Employment Opportunity, as set forth in Policy 2.1, Commitment to Equal Employment Opportunity are carried out and support and promote the policies against Discrimination and Harassment in the Workplace. If you believe that you have suffered or witnessed

Discrimination or Harassment in violation of this policy, you should immediately contact your supervisor, or if it involves your supervisor, contact the Office Manager.

Supervisors and Managers who become aware of or witness Harassment or Discrimination from any source must immediately report it to Management and the Office Manager, **even if you are requested not to do so**. Heartland Tank will not tolerate any retaliatory action against someone who in good faith reports suspected Discrimination or Harassment. *See* Policy 2.4, Prohibition Against Retaliation.

Heartland Tank actively investigates all Complaint of Discrimination or Harassment as set forth in this policy.

Discrimination

Discrimination is any action that interferes with the terms and conditions of employment, including but not limited to hiring, training, promotion, discipline, compensation, benefits, or termination of employment, because of race, color religion, sex (including pregnancy), national origin, age, physical or mental disability, genetic information, or any other characteristic protected under applicable federal, state, local, or municipal law (“Discrimination”).

Harassment

Harassment is any unwelcome verbal or physical conduct that is motivated or based on race, color, religion, national origin, sex, age, disability, genetic information, or any other basis protected by applicable law and the unwelcome conduct is reasonably considered to interfere or adversely affect the work environment (“Harassment”). For purposes of this policy, Harassment is prohibited whether directed at, or perpetrated by, an employee (co-worker, supervisor), volunteer, Customer, board member, client, vendor, contractor, visitor, or other non-employee, you may encounter as a result of performing your job duties.

Harassment can take many forms. It can include any unwelcome physical contact including, verbal (such as use of slurs/derogatory terms, telling offensive jokes, etc.), visual (e.g., offensive photos, symbols, gestures, items, or cartoons), or written/electronic (e.g., forwarding jokes, photos, or stories that are potentially offensive). Of course, unwanted sexual advances can constitute Harassment.

Complaint Procedure

If you experience or witness any form of Harassment or Discrimination in the Workplace or while performing your job duties, please immediately notify your supervisor, or if it involves your supervisor, contact your Manager or the Office Manager.

We encourage you to come forward with complaints; the sooner we learn about the problem, the sooner we can take steps to resolve it. What may appear to be an isolated act could in fact be part of a pattern of Discrimination or Harassment that may only be noticed if you report.

If you have not received a satisfactory response from your supervisor within ten (10) days of your Complaint, you should report the conduct to Manager in writing. If your Complaint or report involves your supervisor, you should make your request in writing to your Manager or the Office Manager. These individuals will ensure that a prompt investigation is conducted.

The response time described herein is a guideline. Please keep in mind that circumstances may prevent the person charged with responding from meeting the exact guidelines provided.

Confidentiality of a Report/Complaint of Discrimination/Harassment

A Complaint of Discrimination or Harassment and the subsequent investigation is considered confidential to the greatest extent practicable under the circumstances. Information may be disclosed only to those with a need-to-know to properly investigate and resolve the Complaint. Please note that Heartland Tank cannot guarantee complete confidentiality, since it cannot conduct an effective investigation without revealing certain information to the alleged wrongdoer and potential witnesses. Records relating to the Complaint are maintained as confidential, with access limited to those in management with a legitimate need to know.

Investigation of a Report/Complaint of Discrimination/Harassment

Once a Complaint is made, it will be promptly and thoroughly investigated. To allow Heartland Tank to thoroughly investigate the Complaint, you may be asked to provide a brief written statement describing the circumstances and identifying witnesses and other pertinent information. You may also be interviewed so that a complete understanding of the circumstances, events, and any necessary additional details can be obtained.

In addition to interviewing you, the investigator will promptly interview the alleged victim (if different than you) and the person against whom the Complaint is made. Witnesses may also be interviewed, if deemed necessary. In some instances, the person against whom the Complaint is made will be permitted a reasonable time to respond in writing.

You are expected to cooperate with the investigation, refrain from any interference with the investigation, and you are expected to maintain the confidentiality of the contents of the interview and any information shared with you during the investigation.

Discipline if an Employee Engages in Discrimination or Harassment

If an investigation reveals that an employee engaged in Discrimination or Harassment, the employee will be subject to disciplinary action. In determining the appropriate discipline, Heartland Tank will consider all pertinent information related to the misconduct.

Even if there is not a finding of Discrimination or Harassment, Heartland Tank may determine that an employee or employees will be best served with additional training/counseling, and possible monitoring, to ensure that the behavior is corrected.

Any specific disciplinary action taken with regard to an investigation, Discrimination, or Harassment will not be disclosed to anyone other than the person against whom it is taken.

Retaliation Prohibited

Heartland Tank will not retaliate, or allow retaliation, against anyone who complains of Discrimination or Harassment, assists in a Discrimination or Harassment investigation, or files an administrative charge or lawsuit alleging Harassment or Discrimination. *See* Policy 2.4, Prohibition Against Retaliation.

Violations of this Policy

Employees found to have violated this policy will be subject to disciplinary action, up to and including termination.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

2.4 Prohibition Against Retaliation

Heartland Tank strictly prohibits and does not tolerate unlawful retaliation against any employee who has in good faith engaged or participated in an activity protected by law. All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation, or other form of retaliation for participating in good faith in any activity protected by law. Examples of protected activities include, but are not limited to:

- Lodging a good faith internal Complaint (written or oral) with your supervisor, Manager, or the Office Manager, specifically opposing unlawful Discrimination or Harassment, or complaining about violations of wage and hour laws.
- Filing a good faith complaint of unlawful Discrimination or Harassment with the U.S. Equal Employment Opportunity Commission (EEOC), or the state or local equivalent, or in court.
- Participating in an internal investigation into allegations of Discrimination or Harassment.
- Supporting another employee's internal or administrative Complaint of Discrimination or Harassment.
- Requesting an accommodation under the Americans with Disabilities Act or similar federal, state, or local law.
- Reporting Workplace injuries in accord with OSHA and other state and local laws.

Heartland Tank is committed to enforcing this policy against all forms of prohibited retaliation. However, the effectiveness of our efforts depends largely on employees telling us about the prohibited conduct.

If you feel that you have suffered or have witnessed conduct that violates this policy, you should report it immediately. If you do not report the conduct, Heartland Tank may not

become aware of a possible violation of this policy and may not be able to take the appropriate corrective action.

Complaint Procedure

If you are subjected to any conduct that you believe violates this policy, you must promptly speak to, write, or otherwise contact your supervisor as soon as possible following the offending conduct or if it involves your supervisor, contact your Manager or the Office Manager in writing. If you have not received a satisfactory response within ten (10) days after reporting any incident you perceive to be retaliatory conduct, please immediately contact your Manager or the Office Manager who will ensure that a prompt investigation is conducted.

The response time described herein is a guideline. Please keep in mind that circumstances might prevent the person charged with responding from meeting the exact guidelines provided.

The Complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The Complaint will be thoroughly investigated, and prompt corrective action will be taken, if appropriate.

Confidentiality of Complaint

A Complaint made pursuant to this policy and the subsequent investigation is considered confidential to the greatest extent practicable under the circumstances. Information may be disclosed only to those with a need-to-know to thoroughly investigate and resolve the Complaint. Please note that Heartland Tank cannot guarantee complete confidentiality, since it cannot conduct an effective investigation without revealing certain information to the alleged perpetrator and potential witnesses. Records relating to the Complaint are maintained as confidential, with access limited to those in management with a legitimate need to know.

Investigation of a Report/Complaint of Retaliation

Once a Complaint is made, it will be promptly and thoroughly investigated. To allow Heartland Tank to thoroughly investigate the Complaint, you may be asked to provide a brief written statement describing the circumstances and identifying witnesses and other pertinent information. You may also be interviewed so that a complete understanding of the circumstances, events, and any necessary additional details can be obtained.

In addition to interviewing you, the person conducting the investigation will promptly interview the alleged victim (if different than you) and the person against whom the Complaint is made. Witnesses may also be interviewed, if deemed necessary. In some instances, the person against whom the Complaint is made will be permitted a reasonable time to respond in writing.

You are expected to cooperate with the investigation, refrain from any interference with the investigation, and you are expected to maintain the confidentiality of the contents of the interview and any information shared with you during the investigation

Discipline if an Employee Engages in Retaliation

If an investigation reveals that an employee engaged in retaliatory conduct, will be subject to disciplinary action. In determining the appropriate discipline, Heartland Tank will consider all pertinent information related to the misconduct.

Even if there is not a finding of retaliatory conduct, Heartland Tank may determine that an employee or employees will be best served with additional training/counseling, and possible monitoring, to ensure that the behavior is corrected.

Any specific disciplinary action taken with regard to an investigation under this policy will not be disclosed to anyone other than the person against whom it is taken.

Violations of this Policy

Employees found to have violated this policy will be subject to disciplinary action, up to and including suspension without pay and/or termination of employment.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

SECTION 3 STANDARDS AND CODE OF ETHICS

3.1 Business Ethics and Conduct

Heartland Tank is committed to achieving the highest standards of professionalism and ethical conduct in its operations and activities. Heartland Tank expects its employees to conduct Heartland Tank's business according to the highest ethical standards of conduct, Heartland Tank's mission and values, and to comply with all applicable laws.

In general, we believe that using good judgment, based on high ethical principles, will guide you to act appropriately. You are expected to always exhibit a high degree of personal integrity. This not only involves sincere respect for the rights and feelings of others, but also demands that in both your personal and professional life, you refrain from any behavior that may might be harmful or unbecoming to yourself, your co-workers, and/or Heartland Tank or that might be viewed unfavorably by the public at large, including, but not limited to Customers. If you are unsure about the proper course of action, you should discuss the matter openly with your direct supervisor or Manager.

It is the responsibility of every employee of Heartland Tank to comply with our policy of business ethics and conduct. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

3.2 Confidential Information

It is vital to the interests, success, and goodwill of Heartland Tank that we protect our Confidential Information. Confidential Information includes information of any kind, nature, or description concerning any matters affecting or relating to Heartland Tank's business, operations, your service to Heartland Tank, and/or products, drawings, plans, processes, documents, or other data of Heartland Tank and is not readily available to the public. Confidential Information is the property of Heartland Tank.

Confidential Information does not include information that is readily available to the public. Confidential Information includes, but is not limited to, the following examples:

- business plans and strategies;
- contracts and related negotiations;
- Heartland Tank's financial information;
- computer processes and protocols of Heartland Tank;
- computer programs and codes used by Heartland Tank;
- lists identifying Customers and their contact information;
- Customer or vendor information not readily available to the public;
- pricing strategies;
- non-public financial information of Heartland Tank or its Customers;
- non-public strategies related to Heartland Tank's business;
- marketing strategies;
- new materials research;
- pending projects and proposals;
- proprietary business information;
- proprietary production processes;
- research and development;
- research and development strategies;
- patent information;
- preferred contractors, vendors, and suppliers;
- trade secrets and proprietary information;
- Heartland Tank's intellectual property;
- intellectual property created by employees in the furtherance of Heartland Tank's business;
- other information related to Heartland Tank that is not readily available to the public and that relates to the processes, accounting, pricing, negotiations, contracts, vendors, and preferred contractors

During your employment with Heartland Tank, you may be exposed to Confidential Information that is of vital importance to the economic well-being of Heartland Tank. You

will not at any time disclose or use, either during or subsequent to your employment, any Confidential Information without advance written authorization by the Executive Team, except as necessary to perform your job. Additionally, you are expected to safeguard against inadvertent disclosure of Confidential Information in accordance with the policies in this Handbook.

To minimize inadvertent disclosure, no physical files may be removed from the Heartland Tank's offices without specific authorization to do so by Management.

If you discover that Confidential Information has been disclosed without authorization, you must report the disclosure to your Manager immediately.

Because we consider security breaches very serious, if you improperly use, disclose, or improperly safeguard Confidential Information, you will be subject to disciplinary action, up to and including termination of employment and legal action, even if you do not actually benefit from the disclosed information.

Under no circumstance are you permitted to use Confidential Information, or any information learned during your employment in any unlawful manner. You are not permitted to reproduce or use the Confidential Information for any purpose over than the performance of your duties for Heartland Tank.

Upon termination of employment or at any time requested by Heartland Tank, you must return all Confidential Information received and created by you, including drawings, notes, documents, materials, data you received from Heartland Tank or originating from your activities for Heartland Tank. If you damage, injure, fail to return, or improperly retain Confidential Information, you will be responsible for the costs associated with it as set forth in Policy 3.15, Company Property, Usage, and Employee Responsibility, and Policy 5.7, Payroll Deductions and Setoffs.

You may be subject to disciplinary action, up to and including termination of employment for violations of this policy. Heartland Tank may also elect to pursue civil remedies and criminal prosecution for violations of this policy.

No individual shall be held criminally or civilly liable under any federal or state trade secret law for a disclosure of Confidential Information, as long as the disclosure is made:

- In confidence to a federal, state, or local government official or to an attorney solely for the purpose of reporting or investigating a suspected violation of law; or
- In a complaint or other document filed in a lawsuit or other proceeding, if such filing is made under seal.

Conduct Not Prohibited

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law.

You may also be asked to sign a confidentiality agreement and if asked, you are expected to do as a condition of employment. This policy shall be read in conjunction with agreement signed.

3.3 Conflicts of Interest

As an employee of Heartland Tank, you have the obligation to conduct business within Heartland Tank's guidelines that prohibit actual or potential Conflicts of Interest. Employees should follow the guidelines set forth in this Handbook and policy. For more information or questions on this policy, contact your Manager.

Any business dealings with Customers, referral partners, contractors, vendors, or partners should not result in Unusual Gains for any employee of Heartland Tank. "Unusual Gains" refers to product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit either the employee, Customer, or other person or entity. Receipt of anything that could be interpreted to be an Unusual Gain must be disclosed to your Manager and approval required prior to reaping the benefit of any Unusual Gain. Under no circumstance is it permissible to solicit a Substantial Gift from a Customer or vendor.

While we cannot list every activity or relationship that would implicate an Unusual Gains situation, examples of activities that violate this policy, include, but is not limited to:

- Working for a competitor of Heartland Tank as a consultant, employee, or independent contractor.
- Receiving a financial benefit from a person or entity other than Heartland Tank for referrals to or from vendors or Customers.
- Receiving kickbacks, bribes, Substantial Gifts, or special consideration as a result of a transaction or business dealings originating with Heartland Tank.
- Using the resources of Heartland Tank (including Heartland Tank's name, logo, and property) for personal gain, including self-referrals.
- Influencing a decision that may result in a personal gain for you or a relative because of business dealings with Heartland Tank. For the purposes of this policy, we define a relative as any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

If you receive a Substantial Gift or Unusual Gains, you should promptly report it to your supervisor or Manager. Any Substantial Gift and/or Unusual Gains are deemed property of Heartland Tank, and Management will determine how the Substantial Gift and/or Unusual Gains should be best used to reward and benefit Heartland Tank as a whole, if appropriate. It is within Management's sole discretion whether the Substantial Gift or Unusual Gains should be accepted.

Failure to comply with this policy or any agreements executed regarding the protection of Confidential Information may result in disciplinary action up to and including termination.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

3.4 Outside Employment

While employed with Heartland Tank, it is expected that you maintain loyalty to Heartland Tank. Any outside employment should be promptly disclosed to your supervisor and Manager and approval will be determined by Management. Management must provide written authorization approving the outside employment prior to the start of any outside employment. In certain circumstances outside employment will be approved only if it does not create a Conflict of Interest, interfere with our scheduling demands, or interfere with your job performance.

All employees will be held to the same standards of performance and scheduling expectations, regardless of any outside employment. If Heartland Tank determines that the outside employment is impacting your performance or the ability to meet your assigned job requirements, which may change over time, you will be asked to terminate the outside employment in order to continue employment with Heartland Tank.

Heartland Tank prohibits outside employment that may give rise to or creates a Conflict of Interest or that competes with Heartland Tank. Further, you may not receive any income or material gain from individuals or entities outside Heartland Tank for materials produced or services rendered as a result of your work with Heartland Tank. See Policy 3.3, Conflicts of Interest.

If outside employment is approved, you may not use Heartland Tank property, facilities, equipment, supplies, IT systems (such as computers, networks, email, telephones, or voicemail), time, trademark, brand, or Confidential Information in connection with any outside employment without express written authorization from Management.

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

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

3.5 Relationships with Co-Workers, Vendors, and Customers

In an effort to minimize the risk of Conflicts of Interest, promote fairness, and avoid any possible issues of Harassment or Discrimination, Heartland Tank adopts the following policy with respect to intimate, sexual, romantic Relationships between co-workers and Customers.

No person in a management or supervisory position shall have a romantic or dating relationship with an employee whom they directly supervise or whose terms or conditions of employment they may influence (i.e., promotion, termination, discipline, and compensation.)

Relationships of an intimate, sexual, or romantic nature (“Relationships”) with and between co-workers should be disclosed to Management; co-workers involved in a Relationship may be asked to sign a document acknowledging that the relationship is free from coercion and Harassment. It is within Heartland Tank’s discretion as to whether reassignment or termination may be appropriate.

If a Relationship develops between any Customer, vendor, or contractor of Heartland Tank, this relationship should also be disclosed to Management to avoid any appearance of impropriety or possible Conflict of Interest between vendor or contractor and Heartland Tank. Work assignments may be adjusted as Management deems necessary to avoid any possible Conflict of Interest.

Advances of a Romantic, Sexual, or Intimate Nature

If a Customer, vendor or other entity or person with which Heartland Tank has a relationship makes advances of a romantic, sexual, or intimate nature, you should firmly decline the advance, if you feel able, and you must report the advance to Management immediately.

Professionalism

Employees are expected to always conduct themselves in a professional manner. If a co-worker Relationship is permitted, the Relationship must not interfere with any employee’s work duties or cause disruption in the Workplace. Nothing alters the obligations set forth in this Handbook.

Discretion and Non-Discrimination

Heartland Tank retains discretion in its enforcement of this policy. Employees in violation of this policy may be subject to disciplinary action up to and including termination. Decisions made under this policy will be made based on operational and business demands; any decision made will be without regard to sex, race, color, national origin, religion, age, disability, or any other protected characteristic under federal, state, or local law.

3.6 Solicitation and Distribution

In an effort to maintain and promote safe and efficient operations and an attractive clutter-free Workplace and minimize non-work-related activities that could interfere with work product, teamwork, and in furtherance of Heartland Tank’s mission, values, and purpose, Heartland Tank has established rules to govern employee solicitation and distribution of written materials.

Besides imposing lawful restrictions on employee solicitation during working time and employee distribution of written materials during working time and in working areas, this

policy is not intended to restrict communications or actions protected or required by state or federal law.

Employees may not solicit or distribute literature to other employees during working time or solicit or distribute at any time in working areas. Solicitations and distribution of literature by employees is permitted only if it takes place during non-working time and in non-working areas. Solicitations by employees may not be offered or made available to Customers, vendors, individuals, or entities doing business with Heartland Tank.

A solicitation includes, but is not limited to, approaching someone in person or through employer-owned property such as computers, email systems, for any of the following purposes:

- Offering anything for sale;
- Asking for donations;
- Collecting funds or pledges;
- Seeking to promote, encourage, or discourage participation in or support for any organization, activity or event, or membership in any organization that is unrelated to the work of Heartland Tank.

Distribution includes, but is not limited to, disseminating, or delivering in person or through employer-owned property such as bulletin boards, computers, smartphones, emails, any literature, or other materials including circulars, notices, papers, leaflets, or other printed, written, or electronic matter.

Working time is time in which an employee is engaged in or required to perform work tasks. Working time excludes times when employees are properly not engaged in performing the business of Heartland Tank or work-related tasks.

Heartland Tank does not permit solicitations or distribution of literature by non-employees on Heartland Tank's property.

3.7 Social Media and Social Networking

Heartland Tank recognizes that the Internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of Social Media such as Facebook, LinkedIn, Instagram, Twitter, TikTok, Pinterest, YouTube, blogs, review sites, forums, online communities, location-based networks, or any other platform for Social Networking and Social Media. However, your use of Social Media can pose risks to Heartland Tank's Confidential Information, reputation, and brands; can expose Heartland Tank to Discrimination and Harassment claims; and can jeopardize Heartland Tank's compliance with business rules, and various other regulations and laws.

When the Content is related to Heartland Tank or has the potential to place Heartland Tank in disrepute, your Social Networking and Social Media activities are subject to the terms, guidelines, and restrictions set forth in this policy. This policy applies regardless of whose computer and/or system is used. **These guidelines and this policy apply to your conduct on and off-duty. Be advised that by accepting employment with**

Heartland Tank you understand and agree that posts made by you on Social Media may be monitored.

To minimize these business and legal risks, avoid loss of productivity and distraction from your job performance, ensure that Heartland Tank's IT resources and communications systems are used appropriately, and protect Heartland Tank's reputation and business interests, Heartland Tank expects you to adhere to the following guidelines and rules regarding Social Media use as explained below.

Under certain circumstances Heartland Tank may request that you use Social Media to generate interest in Heartland Tank's services and to create business opportunities. If Heartland Tank elects to have you participate, it will do so expressly and in writing. If you are requested to promote Heartland Tank and assist with our online presence, we expect that you will participate responsibly in your use of Social Media and follow all of Heartland Tank's rules and guidelines regarding Social Media.

Compliance with Related Policies and Agreements

Social Media should never be used in a way that violates any other policies of Heartland Tank or employee obligations. If your Social Media activity would violate any of Heartland Tank policies in another forum, it will also violate them in an online forum. For example, employees are prohibited from using Social Media to:

- Violate Policy 4.18, IT Resources and Communications Systems or Policy 3.15, Company Property, Usage, and Employee Responsibility;
- Violate Policy 3.2, Confidential Information;
- Engage in Harassment;
- Engage in Discrimination;
- Violate any laws, including, but not limited to libel or defamation; copyright infringement, anti-piracy;
- Circumvent policies prohibiting Discrimination or Harassment against current employees or applicants for employment;
- Violate Heartland Tank's privacy policies (for example, never access private password-protected sites of co-workers or other stakeholders of Heartland Tank without permission);
- Violate any other laws or ethical standards (for example never use Social Media in a false or misleading way, such as by claiming to be someone other than yourself or by creating an artificial "buzz" around our business or our services).

Employees who violate Heartland Tank's policies may be subject to disciplinary action up to and including termination and possibly civil and criminal penalties and sanctions.

You may not attribute personal statements, opinions or beliefs to Heartland Tank when engaged in blogging or Social Media, unless expressly given permission in writing to do so. If you are expressing your beliefs and/or opinions in blogs, you may not, expressly, or implicitly, represent yourself as an employee or representative of Heartland Tank. You assume any and all risk associated with Social Networking and Social Media.

You may not engage in any blogging or Social Media activities that may harm or tarnish the image, reputation and/or goodwill of Heartland Tank and/or any of its employees. You are also prohibited from making any discriminatory, disparaging, defamatory or harassing comments when utilizing these forums.

Guidelines for Your Responsible Use of Social Media

The above material covers specific rules, policies, and obligations that you must follow in using Social Media, whether for personal or business purposes, in consideration for your continued employment. Violations of this policy may subject you to discipline up to and including termination.

Below are common-sense guidelines for using Social Media responsibly and safely in the best interests of Heartland Tank. These guidelines reflect the “duty of loyalty” all employees owe their employers, and are intended to add to, not contradict, limit, or replace, applicable mandatory rules, policies, legal requirements, legal prohibitions, and contractual obligations.

Protect Heartland Tank’s Goodwill, Brands and Business Reputation

You are personally responsible for what you communicate in and on Social Media. Remember that what you publish might be available to be read by the masses (including Heartland Tank itself, Customers, and social acquaintances) for a long time. Keep this in mind before you post Content.

Make it clear in your Social Media activity that you are speaking on your own behalf. Write in the first person and use your personal e-mail address when communicating via Social Media. Never post anonymously to Social Media sites when your post could be attributed to Heartland Tank, its affiliates, Customers, business partners, suppliers, vendors, or other stakeholders. Anonymous posts can be traced back to the original sender’s e-mail address. Follow all guidelines in this policy regarding Social Media postings.

If you disclose your affiliation as an employee of Heartland Tank, you should include a disclaimer that your views do not represent those of your employer. For example, consider such language as “the views in this posting reflect my personal views and do not represent the views of my employer.”

Use good judgment about what you post and remember that anything you say can reflect on Heartland Tank, even if you do include a disclaimer. Always strive to be accurate in your communications about Heartland Tank and remember that your statements have the potential to result in liability for you or Heartland Tank. Heartland Tank encourages professionalism and honesty in Social Media and other communications.

Respect and Comply with Terms of Use of All Sites You Visit

Do not expose yourself or Heartland Tank to legal risk by using a Social Media site in violation of its terms of use. Review the terms of use of all Social Media sites you visit and ensure your use complies with them. If you are using Social Media as part of your job duties, pay particular attention to terms relating to:

- Prohibitions or restrictions on the use of the Social Media site, including prohibitions or restrictions on use for advertising, marketing and promotions or other commercial purposes.
- Ownership of intellectual property used on, or information collected or generated through use of, the site.
- Requirements for licenses or other permissions allowing use by the site owner and other third parties of Heartland Tank's trademarks or other intellectual property.
- Privacy rights and responsibilities of the site owner and users.

Respect Others

In addition to complying with on Heartland Tank's mandatory prohibition against Discrimination, Harassment, and retaliation policies, do not post, or express a viewpoint on another's post, anything that Customers of Heartland Tank or the public would find patently offensive, including ethnic slurs, sexist comments, discriminatory comments, abusive profanity and language, obscenity, or information that is maliciously false. Also refrain from conduct that would be in violation of Heartland Tank's policies.

You should also refrain from making public comment regarding any Customers who have used or currently uses Heartland Tank's services. Further, do not post pictures of Customers of Heartland Tank without proper authorization from Management and the Customer. This obligation extends beyond your employment with Heartland Tank.

No one should feel pressured to accept any Social Media requests from anyone at Heartland Tank or from any Customer of Heartland Tank.

Respect Intellectual Property and Confidential Information

Policy 3.2, Confidential Information, restricts your use and disclosure of Heartland Tank's trade secrets, Confidential Information, and intellectual property. Beyond these mandatory restrictions, you should treat Heartland Tank's Confidential Information as confidential and do nothing to jeopardize or unwittingly disclose the Confidential Information through your use of Social Media.

In addition, you should avoid misappropriating or infringing the intellectual property of other companies and individuals, which can create liability for yourself and for Heartland Tank. To protect yourself and Heartland Tank against liability for copyright or trademark infringement, where appropriate, reference sources of information you post or upload and cite them accurately. If you have any questions about whether a particular post or upload might violate the copyright or trademark of any person or Heartland Tank, ask your Manager before making the communication.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

3.8 External Communication: Media Inquiries/Reference Requests

It is a primary objective of Heartland Tank to maintain positive public relations with regard to the business of Heartland Tank. It is the responsibility of every employee to personally be aware of and support this effort.

Because of the importance and sensitivity of relations with the news media, all media requests for information relating to the business of Heartland Tank should be referred to your Manager.

Unless specifically authorized, employees are prohibited from releasing information related to the business of Heartland Tank any related security matters to the news media. This prohibition includes releasing information about current or former employees, regardless of who is requesting the information.

Additionally, please do not respond to any reference requests or requests for information regarding any current or former employee. All such inquiries – whether related to the media or employees, former or otherwise – should be directed to your Manager. Only Management is permitted to address reference requests.

Conduct Not Prohibited

Nothing in this policy is intended to interfere with any rights under the National Labor Relations Act.

3.9 Personal Appearance/Dress

Heartland Tank strives to maintain a professional atmosphere that is conducive to our business environment, contributes to the morale of all employees, and projects an image of efficiency and professionalism to visitors, Customers, and the public. Employees are relied upon to exercise common sense and good judgment regarding their clothing and appearance when acting on behalf of Heartland Tank.

Clothing worn during worktime shall afford sufficient protection for all conditions. Do not wear clothing that could get caught in machinery or otherwise cause an accident, such as dragging pants; pants with cuffs; loose or torn clothing. Rings and other jewelry, which could be caught in machines and thus cause injury, shall not be worn in the work area. Hair shall be worn at a length and in a manner that will prevent it from being caught in machinery/equipment on any job to which an employee may be assigned. *See also* Policy 4.9, Personal Protective Equipment Procedures. We may, when necessary, make a reasonable accommodation in the personal appearance policy in accordance with Policy 2.2, Reasonable Accommodation. To request an accommodation, please follow the guidelines set forth in Policy 2.2, Reasonable Accommodation.

3.10 Attendance, Punctuality, and Absences

As an employee of Heartland Tank, we expect you to be reliable and punctual. When absences or tardiness occurs, it adversely affects the Company's ability to serve our Customers, and a hardship is placed upon your co-workers who must do the work for those who are absent.

You must report for work on time and as scheduled. Employees are expected to arrive at work and clock-in no more than ten (10) minutes prior to your scheduled start time and be at your workstation productively engaged in Heartland Tank business by the scheduled start time.

In the event that it is necessary for you to be absent or late for work, you must telephone your supervisor at least one (1) hour before your scheduled clock-in time or earlier, if possible. If your supervisor is not available, then you should speak to your Manager. If you are unable to speak to either your supervisor or Manager, you may leave a message. However, you should make every effort to speak directly to your supervisor as soon as possible. You should clearly and fully communicate the reason for your absence or tardiness and when you expect to return to work. Your supervisor or Manager will tell you whether your absence is considered excused or unexcused.

It is your responsibility to ensure that proper notification is given. It is not acceptable for you to ask another employee, a friend or a relative to give this notification, except in the case of an emergency. It is important that you make sure that your supervisor is aware of your absence.

If you have not called in and spoken with your supervisor or if you are unable to reach your supervisor, your Manager one (1) hour or more before your scheduled start time, your absence is considered unexcused.

Punctuality and attendance are required and will be given serious consideration with respect to pay increases, promotions, and possible terminations.

You are expected to provide proper notification for all your absences. If you are absent three (3) consecutively scheduled workdays or more (including a Friday and Monday) and you have provided proper notification, you still must present a physician's release statement to your supervisor before you will be allowed to return to work. The return-to-work statement from your physician must include the following information: nature of illness or injury; date(s) of treatment; and date that you may return to work.

If you are absent three (3) or more consecutively scheduled workdays (including a Friday and Monday or scheduled workdays with an intervening holiday) without proper notification to your supervisor, you will be considered to have abandoned your job and voluntarily resigned your employment from the Company. *See also* Policy 7.6.

If you fail to give the required notification outlined above, the absence will be considered unexcused, and you will be subject to disciplinary action. Repeated lateness and absenteeism will not be tolerated, and you will be subject to disciplinary action up to and including termination.

Unplanned, excessive, or repeated absences, poor attendance, and excessive lateness are disruptive and will result in disciplinary action, up to and including termination of employment.

3.11 Devices in the Workplace

Heartland Tank is committed to ensuring that each of its employees is able to focus on their respective assigned work duties and tasks safely and without interruption. To accomplish this goal, Heartland Tank prohibits the use of Devices while you are performing your assigned work duties unless use of a Device is a necessary part of performing your assigned work duties. Nothing herein prohibits incidental or minimal use of your Device, provided it does not interfere with your work duties.

It poses a safety issue for you to use or be on your Device, while performing your work duties, even when there is a lull in those duties (unless use of a Device is a necessary part of performing your assigned work duties). Any down time is **not** an opportunity to be on a Device for reasons unrelated to your work duties and down time should be used to perform general housekeeping in the area, plan for the next project, improve upon your skills/processes, or you may ask your supervisor, if any additional work needs to be done.

If there is a reason that you need to access or monitor your Device more frequently than permitted, you need to notify your supervisor. You and your supervisor will work together to find a non-disruptive and safe resolution. Please remember that for employees who work onsite, you may provide Heartland's main number as an additional emergency contact and Heartland Tank will locate you.

If you are uncertain as to whether use of a Device is part of your work duties, you should ask your supervisor and if your supervisor is unavailable your Manager.

Device(s) include, but are not limited to smartphones, cellphones, tablets, handheld computers, iPads, and any wearable technology that can be used to text, access the internet, email, or make phone calls and applies whether the Device is owned by the Company or is your own Personal Mobile Device.

In order to prevent misuse, Heartland Tank reserves the right to confiscate any Personal Mobile Device from any employee violating this policy. Heartland Tank may return your Personal Mobile Device at the end of your work shift.

Should you violate this policy, you may be subject to discipline up to and including termination.

3.12 Monitoring and Recording of Others Not Permitted

Although Heartland Tank reserves the right to monitor and search employees for business-related reasons, employees do not have the same right to monitor or record other employees, read their email, or search their offices. Employees are expressly prohibited from accessing another employee's computer, reading another employee's email, or searching another employee's personal property unless the employee has been expressly authorized to do so by Management for a business-related reason.

Due to the potential for issues with regard to safeguarding Confidential Information, when the business of Heartland Tank is being conducted, you are prohibited from recording either audio or video of another employee, client, vendor, Customer, or other person connected with Heartland Tank without obtaining permission from each person involved or having received permission from Management in advance of any recording.

Nothing in this policy is intended to impact your rights under the National Labor Relations Act.

3.13 Cost Control

It is the responsibility of you and every employee to help keep operating costs and expenses to a minimum and to operate in a manner that is reasonable and prudent as to cost and expenses. If you become aware of any employee misusing or abusing the Company's resources, you should report those concerns. See Policy 3.14, Reporting Suspected Wrongdoing.

3.14 Reporting Suspected Wrongdoing

To ensure that Heartland Tank maintains the highest ethical standards, it is important that if you observe or suspect unethical or illegal conduct to report it and allow Heartland Tank the opportunity to investigate and eliminate it. Please immediately report if you see or suspect any of the following:

- Suspected financial impropriety (to include forgery, submission of false reports or claims, etc.);
- Employee dishonesty;
- Unauthorized disclosure of Confidential Information;
- Conflicts of Interest;
- Misuse/illegal use of Heartland Tank's property or that of its Customers, and
- Any other serious violation of Heartland Tank's policies or violation of applicable law.

Heartland Tank's supervisors and Managers are *required* to report any suspected or known violations and all employees are *encouraged* to make such reports any time they have a good faith basis for doing so. You may report this using the procedures for making a Grievance, set out elsewhere in this Handbook, *except* that, unlike other types of complaints, you may complain of unethical behavior anonymously directly to your supervisor, or if the complaint involves your supervisor, contact your Manager. An individual making allegations with reckless disregard for the truth or falsity of the allegations may be subject to disciplinary action up to and including termination and/or other legal remedies.

All reports of ethical violations will be investigated, and appropriate corrective action will be taken against any person found engaging in the unethical conduct. To the extent feasible, we will report back to the person making the report the results of the investigation.

If you report unethical behavior in good faith, you will not be retaliated against. You may not engage in any action that could be deemed retaliatory against anyone else who has made such a report. If you engage in retaliatory conduct, you will face disciplinary action up to and including termination.

If you make a report under this policy and believe you have been retaliated against, please immediately report your concerns of retaliation consistent with the procedure set forth in Policy 2.4, Prohibition Against Retaliation.

3.15 Company Property, Usage, and Employee Responsibility

Heartland Tank provides tools, equipment, and resources so that its employees may be a success at performing their jobs (“Company Property”). Heartland Tank expects that employees use reasonable care to safeguard Company Property. This policy extends to the usage of Heartland Tank’s property when used offsite or during non-working hours. Company Property belongs to and is owned by Heartland Tank. Company Property is solely for conducting business on behalf of Heartland Tank and should not be used for personal use or personal gain unrelated to Heartland Tank. Company Mobile Devices may be used for personal purposes, provided that they do not interfere with conducting Heartland Tank’s business.

Company Property includes, but is not limited to Confidential Information, equipment, laptops, docking stations, scanner, software, computers, desks, chairs, file cabinets, monitors, Devices, and any other tool or resource provided by Heartland Tank to its employees.

Company Property may be reviewed and inspected at any time by Management. You understand that Heartland Tank has a right to conduct inspections and reviews and that there is no expectation of privacy regarding your use of Company Property. Additionally, your usage of Company Property may be monitored and/or audited from time to time to ensure compliance with this Handbook.

Any employee aware of violations of this policy is encouraged to report such violations in writing to your supervisor and Manager.

If any Company Property or Company Vehicles appear to be damaged, defective, or in need of repair, you must notify your supervisor immediately. See Policy 4.1, Health, and Safety in the Workplace.

This policy also relates to Heartland Tank's clear policy against Discrimination, Harassment, and retaliation. Use of Company Property in any way which violates our policies is expressly prohibited, including, but not limited to Policies 2.3, Prohibition Against Discrimination and Harassment; 2.4, Prohibition Against Retaliation; and 4.11, Workplace Violence Prevention.

Company Property, especially equipment and Company Vehicles, which are essential to accomplishing job duties are expensive and may be difficult to replace. When using Company Property, you are expected to use it in a responsible and safe manner and in accord with the operating instructions, safety standards and guidelines, and policies set forth in this Handbook. Additionally, you are responsible for the security of Company Property issued to or used by you. Please take all reasonable steps to ensure that you have properly

secured Company Property. Should you become aware or are concerned with regard to the breach of security of Company Property issued to or used by you, you should immediately contact your supervisor, and if appropriate Heartland Tank's IT Designee.

If you feel you are not qualified or able to operate any Company Property assigned to you or designated for your use to perform your job duties, do not use it and notify your supervisor immediately.

If you damage, cause damage, lose, cause loss, fail to return, or otherwise injure Company Property, you are responsible for costs associated with the replacement of the Company Property and the costs will be deducted from your pay. *See Policy 5.7, Payroll Deductions and Setoffs.* Confidential Information is also considered Heartland Tank's property and you are responsible for the damage and injury resulting from intentional damage, losing, failing to return, or otherwise injuring Confidential Information. *See Policy 3.2, Confidential Information.*

Unauthorized use or misuse of Company Property and/or violations of this policy may lead to disciplinary action up to and including termination. Heartland Tank may also pursue, at its option, civil liability and/or criminal penalties.

3.16 Use of Company Vehicles

Heartland Tank permits select individuals to drive vehicles owned, leased, or rented by Heartland Tank to perform work for Heartland Tank or on Heartland Tank's behalf during their employment and includes DOT Vehicles. Only those who have received approval from the Chief Operations Manager are authorized to use a Company Vehicle. To protect Heartland Tank and its employees, any use of a Company Vehicle must conform with this policy. Each employee who is authorized to operate a Company Vehicle must maintain a valid driver's license with the appropriate class designation for the vehicle to be used and have a safe driving record.

When using Company Vehicles, you are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines, including compliance with Policy 4.13, Driving for Business and Safe Driving Practices.

You should notify your supervisor, if any Company Vehicles appear to be damaged, defective, or in need of repair. *See Policy 4.1, Health, and Safety in the Workplace.* Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of vehicles and possible injury to employees or other people. Your supervisor can answer any questions about your responsibility for maintenance and care of equipment you use on the job. If you feel you are not qualified or legally licensed to operate the assigned Company Vehicle, notify your supervisor and do not use the Company Vehicle.

The improper, careless, negligent, destructive, or unsafe use or operation of Company Vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination of employment.

You will be responsible for the costs associated with any damage caused by your improper, careless, negligent, destructive, or unsafe use or operation of Company Vehicles, including, but not limited to the replacement costs and the costs for the loss of use. For details on approved reimbursements related to Company Vehicles see Policy 5.8, Business Expense Reimbursement and Company-Issued Credit Card.

DOT Vehicles

To operate a vehicle regulated by the Department of Transportation (“DOT Vehicle”) for DOT purposes (transporting), you must be qualified and approved by Management and the Department of Transportation (“DOT”). You are also required to have obtained the appropriate Commercial Driver’s License (“CDL”), and it must be valid. When operating a DOT Vehicle for DOT purposes (transporting), you must comply with all applicable DOT regulations and requirements.

When operating a DOT Vehicle, you are expected to check out a key prior to using the DOT Vehicle and return it upon completion of your assigned job, while also complying with all applicable policies, including, but not limited to the Company’s safety policies, standards, and guidelines. See Policy 4.13, Driving For Business and Safe Driving Practices, any applicable agreements, and if applicable in accordance with DOT’s Rules and Regulations. Should any restrictions be added to your driver’s license, including your CDL, you must immediately notify your supervisor, and you are only permitted to operate any Company Vehicle or DOT Vehicle in accordance with any restrictions on your license.

Failure to comply with this policy may result in disciplinary action, up to and including termination.

3.17 Use of Devices for Work

Heartland Tank permits certain employees whose duties require them to be always available to use either a Company Mobile Device or their own Personal Mobile Devices to perform work for Heartland Tank or on Heartland Tank’s behalf. Management determines which employees are eligible for a Company Mobile Device or who may use their Personal Mobile Device for Work.

However, to protect Heartland Tank and its employees, any use of a Device for business purposes must conform to this policy as described below. In addition, each user is responsible for using the Device in a sensible, productive, ethical, and lawful manner. If you are provided with a Company Mobile Device, you are not permitted to use your Personal Mobile Device for work purposes.

This policy applies to work performed on a Company Mobile Device or Personal Mobile Device on Heartland Tank’s behalf during working and nonworking hours, on and off Heartland Tank’s premises.

No Expectation of Privacy

All materials, data, communications and information, including but not limited to e-mail (both outgoing and incoming), Text Messages, contacts, telephone conversations and voicemail recordings, instant messages, and internet and Social Media postings and

activities (“Content”) created on, transmitted to, received or printed from, or stored or recorded on the Device for Heartland Tank or on Heartland Tank’s behalf is the property of Heartland Tank, regardless of who owns the Device used. As Heartland Tank property it is subject to the policies set forth in this Handbook, including, but not limited to 3.2, Confidential Information, and 3.15, Company Property, Usage, and Employee Responsibility.

You are expressly advised that in order to prevent misuse, Heartland Tank reserves the right to monitor, intercept, and review, all Content created on, transmitted to, received, or printed from, or stored or recorded on the Device for Heartland Tank’s business or on behalf of Heartland Tank. Heartland Tank may require that you maintain appropriate backups on any Confidential Information stored on the Device.

You should take necessary steps to segregate personal information from Content created or used for Heartland Tank or on behalf of Heartland Tank. Failure to sufficiently segregate personal information from Content created or used for Heartland Tank or on behalf of Heartland Tank may be subject to review by Heartland Tank as set forth in this policy.

Heartland Tank may also store copies of such Content for a period of time after they are created and may delete such copies from time to time without notice. In addition, Heartland Tank may obtain and disclose copies of such Content for litigation or investigations.

As a condition of employment and use pursuant to this policy, you agree to cooperate with Heartland Tank in protecting its Confidential Information and data contained on your Personal Mobile Device and Content related to Heartland Tank. Additionally, as a condition of employment and use of the Device for work purposes, you consent to Heartland Tank’s right to monitor your Device for compliance with its policies and Heartland Tank’s right to copy Content or request for you to delete Content or Confidential Information on the Device.

You also agree that the use of any Device for Heartland Tank’s business or on behalf of Heartland Tank is at your own risk and Heartland Tank will not be responsible for any losses, damages or liability arising out of the use of any Device for Heartland Tank’s business or on behalf of Heartland Tank under this policy, including any loss, corruption or use of any Content or loss of access to or use of any Device, its software or its functionality.

Security Requirements

All Devices used for Heartland Tank or on behalf of Heartland Tank must be registered with and authorized by your supervisor and the Office Manager. You may be asked to sign a “Device Agreement” regarding the use of the Device.

To protect Heartland Tank’s Confidential Information from being lost or becoming public, you must immediately report any lost or stolen Device used for Heartland Tank’s business or on behalf of Heartland Tank; additionally, you should report if any Device used for the business of Heartland Tank is accessed by unauthorized persons or otherwise compromised so Heartland Tank can assess the risk and, if necessary, remotely erase the Device. Additionally, prompt cooperation is required if you use a Device for the business of

Heartland Tank, when requested or as required for Heartland Tank's legitimate business purposes, including in the event of any security incident or investigation.

Heartland Tank's policies on IT Resources and Communication Systems (Policy 4.17) and Social Media and Social Networking (Policy 3.7) applies to all uses of your Device when using it on behalf of Heartland Tank or when conducting business for Heartland Tank. Additionally, you must:

- Utilize proper security measures and password/passcode complexity as recommended by the IT Designee, including but not limited to use of a strong password/passcode of at least six (6) characters in length; the password/passcode must be unique and cannot be the same character repeated more than once.
- Utilize other recommended security measures as directed by Heartland Tank and the IT Designee.
- Comply with Heartland Tank's configuration requirements for the Device.
- Install the necessary software required by Heartland Tank to manage Heartland Tank's data on the Device, including providing Heartland Tank with any necessary information to access Heartland Tank's data.
- Maintain the Device's settings such that the Device locks itself and requires a password if it is idle for five (5) minutes or as reasonable given your work environment.
- Maintain the Device's original operating system and keep it current with security patches and updates.
- Refrain from downloading and installing software that can jeopardize the security of Heartland Tank's data on the Device.
- Refrain from altering the security settings of the Device without Heartland Tank's consent.
- Prohibit use of the Device by anyone not authorized by Heartland Tank, including but not limited to your family and friends.
- Refrain from backing up the Device locally or to cloud-based storage or services without Heartland Tank's consent. Any such backups inadvertently created must be deleted immediately or Heartland Tank must know the location of any such backup and consent to the backup.
- To the extent you create backups with Heartland Tank's consent or otherwise, you must provide Heartland Tank with access to the backup and permit review of any such backups when requested or required for Heartland Tank's legitimate business purposes, including in the event of any security incident or investigation.
- Refrain from using the Device as a personal mobile hotspot without Heartland Tank's consent.
- Connect only to secure networks; refrain from transmitting any of Heartland Tank's Confidential Information over an unsecured network, including any unsecured Wi-Fi network or public network.

At all times, you must use your best efforts to physically secure the Device against loss, theft or use by persons who have not been authorized to access the Device by Heartland Tank.

Appropriate Use

Heartland Tank's policies prohibiting Discrimination, Harassment, and Retaliation, specifically Policy 2.3 Prohibition of Discrimination and Harassment and Policy 2.4, Prohibition Against Retaliation, apply to the use of all Devices under this policy. You may not use any Device in a manner that may be construed by others as harassing or offensive based on race, national origin, sex, sexual orientation, age, disability, religious beliefs, or any other characteristic protected by federal, state, or local law. Additionally, use of a Device, pursuant to this policy, requires compliance with all other policies of Heartland Tank, including, but not limited to Policy 3.2, Confidential Information, Policy 3.7, Social Media and Social Networking, and Policy 4.17, IT Resources and Communication Systems

Use of a Device in the Workplace should not interfere with your ability or the ability of others to perform their work duties. Should your Device interfere with your productivity or the productivity of others, the privileges afforded under this policy may be suspended and may result in the confiscation of the Device until the end of the workday.

Discontinued Use of Device by Employee

If you discontinue use of the Device under this policy or leave Heartland Tank's employment, you must allow Heartland Tank to remove any of Heartland Tank's Confidential Information from the Personal Mobile Device and any backups of a Device and allow Heartland Tank to disable any software or services provided by Heartland Tank on the Personal Mobile Device. You must return the Company Mobile Device and any backups to Heartland Tank. Failure to permit access or comply with this policy will be deemed a loss of Confidential Information and subject to Policy 3.15, Company Property, Usage, and Employment Responsibility.

Technological Support

Generally, Heartland Tank does not provide technological support for your Personal Mobile Device. You acknowledge that you alone are responsible for any repairs, maintenance or replacement costs and services for your Personal Mobile Device except for the reimbursement as set forth in Policy 5.8.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

SECTION 4 WORKPLACE SAFETY AND SECURITY

4.1 Health and Safety in the Workplace

Heartland Tank is committed to providing a safe and healthy working environment. It is our policy to comply with relevant federal and state occupational health and safety laws,

including DOT regulations, and to develop the best feasible operations, procedures, and technologies conducive to such an environment.

Our policy is intended to minimize the exposure of our employees and visitors to health or safety risks. To accomplish this, you are expected to work diligently to maintain safe and healthy working conditions and to adhere to proper operating practices and procedures to prevent injuries and illnesses.

If you witness any unsafe conditions or potential hazards, such as wet floors, broken equipment, unsecured cords, defective appliances, you must report them to your supervisor. If the unsafe conditions or potential hazards are not corrected, report the issues to your supervisor and Manager.

You should not perform any task which you sincerely believe will create a safety hazard to yourself or others. If direction is given to perform a task which you believe in good faith creates a safety risk, you **MUST** inform your supervisor of your concern. Pending further review, you should not perform any task which you reasonably believe to be unsafe.

To provide for the safety and security of employees and within the Workplace or at any Worksite, pets, or animals, of any kind, are not permitted.

You are expected to use common sense in any refusal to perform an assigned task based upon an assertion that it creates a safety risk.

If you have ideas or suggestions for safety improvement, please bring your ideas, concerns, and suggestions for improved safety in the Workplace to your supervisor.

If you violate Heartland Tank's safety standards, cause a hazardous or dangerous situation, or fail to report or, where appropriate, remedy such situations, you may be subject to disciplinary action, up to and including termination of employment.

4.2 Procedure for Reporting Workplace Injuries and Illnesses

You must promptly and accurately report all Workplace injuries, accidents, or illnesses to your direct supervisor immediately, regardless of the severity. If you are unable to reach your supervisor, you should immediately contact your Manager. In the event of an injury or illness that does not result from a single event (i.e., cut, scratch, strain from lifting, sprained ankle, etc.), you are required to notify your supervisor or Manager once you become aware of the injury or illness. Failure to promptly report the injury or illness may result in disciplinary action up to and including termination.

If you witness an accident involving a Customer, visitor, or employee, notify your direct supervisor immediately. If you are unable to reach your supervisor, you should immediately contact your Manager. You will be expected to cooperate as necessary in the completion of an incident report.

An incident report must be completed after each and every accident, no matter how minimal the damage or injury is. Incident reports are available from your direct supervisor.

Failure to report a Workplace accident, injury, or illness immediately may preclude or delay the payment of any benefits to you. In the case of serious injury, your reporting obligation will be deferred until circumstances reasonably permit a report to be made.

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

4.3 Medical Emergency

Employees should exercise appropriate judgment when someone is medically incapacitated. In life-threatening medical emergencies, dial 911 for medical emergency personnel.

Immediately notify supervisory staff. Efforts will be made by Management to notify your emergency contacts.

All accidents that occur during Heartland Tank's business hours or when conducting business outside Heartland Tank offices should be reported immediately to your supervisor.

4.4 No Retaliation for Reporting Workplace Injuries, Illnesses, or Health and Safety Concerns

Heartland Tank prohibits any form of discipline, reprisal, intimidation, or retaliation for reporting Workplace injuries, illnesses, or any health and safety concerns, for reporting a violation of this policy, or for cooperating in related investigations.

Employees have the right to report work-related injuries and illnesses, and Heartland Tank will not discharge, discriminate, or otherwise retaliate against employees for reporting work-related injuries or illnesses. If you believe you have been retaliated against in violation of this policy, follow the Complaint procedure outlined in Policy 2.4, Prohibition Against Retaliation.

4.5 Return to Work After Serious Injury or Illness

In order to ensure a safe and healthy working environment and protect you and Heartland Tank, if you have been absent from work because of Serious Illness or Injury, you are required to obtain a doctor's release specifically stating that you are capable of performing your normal duties or assignments. A Serious Injury or Illness is defined as one that results in an absence from work for more than one (1) week and which may limit your ability to resume performance of your regular duties or assignments.

Heartland Tank shall ensure that employees who return to work after a Serious Injury or Illness are physically capable of safely performing their duties or assignments without risk of harm to self or others. A medical provider's written release, including any known restrictions, **and** a fitness for duty examination may be required before an employee can return to work. Heartland Tank reserves the right to request this information after any extended absence.

Should there be any questions, discrepancies, or additional information needed by Heartland Tank to confirm your absence and ability to return to work, you consent for the Office Manager to contact your medical provider to inquire further.

We consider information about medical conditions or history to be highly confidential and keep it separate from other personnel information. Access to this information is limited only to persons who have a legitimate need to know.

No employee shall be retaliated against for reporting any injuries or illnesses. Any concern that you may have suffered retaliation or reprisal for having reported a Workplace injury or illness should be immediately reported in accord with the procedures set forth in Policy, 2.4, Prohibition Against Retaliation.

4.6 Employee Medical Examinations/Fitness for Duty

To help us make sure that you are able to perform your duties, Heartland Tank may require medical examinations to ensure that you are able to safely perform the essential functions of your job.

Current employees may be required to take medical examinations to determine their fitness for work. If an exam is needed, it will be scheduled at a reasonable time and interval and at our expense.

We consider information about medical conditions or history to be highly confidential and keep it separate from other personnel information. Access to this information is limited only to persons who have a legitimate need to know.

4.7 Use of Smoking/Smokeless Tobacco

Heartland Tank has a responsibility to provide and maintain a healthy, comfortable, and clean environment for our employees and our visitors. Smoking, smokeless tobacco and use of e-cigarettes are not permitted in Heartland Tank offices. Smoking, smokeless tobacco and use of e-cigarettes are prohibited outside the doorways of Heartland Tank's offices. You may not take "smoking or tobacco use breaks" in addition to the breaks provided to you by your supervisor. If you violate this policy, you may face disciplinary action up to and including termination.

4.8 Alcohol and Drug Free Workplace and Testing

Heartland Tank is committed to providing a safe, comfortable, and productive work environment for its employees. We recognize that employees who abuse Drugs or alcohol at work—or who appear at work under the influence of Drugs or alcohol—harm both themselves and the work environment. As a result, we prohibit you from doing the following:

- Appearing at work under the influence of alcohol or Drugs;
- Conducting Heartland Tank's business while impaired under the influence of alcohol or Drugs (regardless of whether you are on work premises at the time);

- Operating any Vehicle used for business purposes of Heartland Tank under the influence of alcohol or Drugs;
- Operating any of Heartland Tank's equipment under the influence of alcohol or Drugs.
- Using alcohol or Drugs at the Workplace or during the Workday;
- Conducting the business of Heartland Tank under the influence of alcohol or Drugs (regardless of whether you are at the Workplace at the time);
- Buying, selling, manufacturing, or distributing alcohol or Drugs on Heartland Tank's premises or while using a Vehicle and conducting the business of Heartland Tank.
- Serving alcohol or Drugs on Heartland Tank's premises at any time;
- possessing, buying, selling, manufacturing, or distributing Drugs while conducting the business of Heartland Tank.

This policy is not designed to prohibit alcohol at events sponsored by Heartland Tank or functions that occur after regular work hours or networking events. However, any use of alcohol at these types of events still requires that you conduct yourself responsibly and professionally.

"Drugs" as used in this policy refers to any drug or substance, including legal, over the counter, prescription, or illegal drug which impairs your ability to perform your job duties safely or competently.

All positions which involve operation of heavy machinery, including DOT Vehicles, Company Vehicles, or any other equipment that requires PPE, are considered a Safety-Sensitive position. No accommodation is afforded for any employee who works in a Safety-Sensitive position with regard to a positive test for a Drug.

This policy applies not only when you are working and/or attending work-related events, but also when you are driving for the purpose of conducting business on behalf of Heartland Tank or using Heartland Tank's equipment. If you violate this policy, you may face disciplinary action, up to and including termination.

Testing

To enforce our commitment to a safe, healthy, and productive Workplace, Heartland Tank conducts drug testing of certain applicants and employees consistent with the following procedures:

The following individuals may be subject to testing:

- Applicants who receive a conditional offer of employment may be required to submit to testing at a time specified prior to beginning work.
- When Heartland Tank has a reasonable belief that an employee may be under the influence of alcohol or Drugs or otherwise violating this policy. We may form such a belief because of the following, non-exclusive, circumstances:
 - Drugs or alcohol are on an employee or in the vicinity of an employee.

- An employee's conduct suggests possible impairment or influence of Drugs or alcohol.
- We receive a report of Drug or alcohol use while an employee is at work/on duty.
- We receive information that an employee tampered with a drug or alcohol test at some previous time.
- We notice a negative performance pattern; or
- An employee who has excessive or unexplained absenteeism or tardiness.
- If an employee is involved in any work-related accident or incident involving the violation of any safety or security procedures. This applies even if the incident did not result in any injury to any person or any property damage.
- Employees in safety or security-sensitive positions may be subject to drug and alcohol testing on a random or yearly basis.
- When an employee has returned to work after a positive drug test or participation in a drug or alcohol dependency treatment program, up to two years after employee's return.

Substances to be Tested

Heartland Tank tests for alcohol and Drugs, including prescription and illegal drugs.

Collection and Testing Methods Used

All sample collection and testing will be conducted in accordance with the appropriate laws governing Workplace Drug and Alcohol Testing, including 40 O.S. § 551 *et seq.* This means that collection may be by urinalysis, blood test, or any other standard permitted by law. No employee, agent, representative, or designee of Heartland Tank will directly observe you (or any other individual subject to testing) in the process of producing a urine sample, but sufficient safeguards will be taken to ensure and prevent substitutions or interference with the collection or testing of reliable samples. Collection will be done in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.

Consequences of Refusal and/or a Confirmed Positive

If you are required to undergo a drug test in connection with this policy and refuse to undergo the testing, or if you undergo the testing and you have a confirmed positive test result, you will be subject to disciplinary action up to termination, provided that doing so does not violate the any applicable law, including, but not limited to the American Disabilities Act, or other applicable federal or state law. An applicant who refuses to undergo the test or has a confirmed positive test result will have their conditional offer of employment revoked, provided that doing so does not violate any applicable law.

Explanation of Test Results

Heartland Tank uses a Medical Review Officer ("MRO"), who is a licensed physician qualified by the State Board of Health to receive results from a testing facility. Once a positive test result has been confirmed, the laboratory will send those results to the MRO for review and verification. The MRO will then notify you as soon as possible. If the MRO attempts to contact you and you do not respond within three (3) working days, the MRO will

report the test as positive. However, if you timely respond to the MRO, you will have the opportunity to explain the test results, in confidence, to the MRO. If the MRO determines that there is a legitimate medical explanation for the confirmed positive result, the MRO will report the result as negative. If the MRO verifies that a confirmed positive result is scientifically sufficient and no reasonable medical explanation has been offered, the MRO will contact Heartland Tank and report the test as positive and identify the substance detected.

Copies of the Testing Records

You may inspect and obtain copies of any drug test results from Heartland Tank. Other records, such as those from the testing facility and/or MRO, are available from the respective facility. All requests for testing records must be made in writing.

Confidentiality of the Testing Records

Heartland Tank maintains all drug and alcohol testing results and related information separately in a confidential medical file. Heartland Tank does not receive any information from the testing facility or MRO related to your general health, pregnancy, or other physical or mental condition, and does not receive information about the presence of any drug other than that for which Heartland Tank requested be tested. These and other testing records are held as confidential by the respective testing entity or MRO. No testing records will be released to any person other than you without your express written permission issued after the test results have been received by you, except as may be permitted or compelled by law.

Confirmation Test

If your test results are positive, you have the right to have a confirmation test conducted at your own expense and no action will be taken against you pending the results of this test. You must request this confirmation test within *24 hours* of being notified that the initial sample is positive. If the confirmation test is reported negative, Heartland Tank will reimburse you for the expense of the test and no adverse action will be taken against you.

Rights to Appeal

Before any adverse action is taken against you for refusing to submit to testing, failing to appear for testing, or for a confirmed positive test result, you will be given the opportunity to explain, in confidence, your reasons. This explanation, and any right for an additional confirmation test (as explained above), will be considered your sole right of appeal. Heartland Tank's decision upon hearing any explanation offered by you when given the opportunity to explain your refusal to submit and/or appear for testing, or confirmed positive, is final.

4.9 Personal Protective Equipment Requirements

All employees are expected to adhere to all dress and safety codes applicable for the areas in which they work. Everyone who routinely works in the shop and with heavy machinery is considered to be in a Safety-Sensitive position. It is mandatory for everyone in a safety-sensitive position to wear the necessary personal protective equipment ("PPE") when working or in the area where others are working.

Employees in safety-sensitive positions are required to wear certain items of clothing in order to conform to the safety rules of the Company, including but not limited to hard hats, earplugs, safety glasses, and/or safety shields.

Disregard for care and maintenance of the safety equipment issued to you may result in you being charged should the Company have to re-issue these safety items.

Anyone in the field or shop for an extended period, including visitors, shall have PPE on at all times when machines are in use or operating. Additionally, anyone entering the construction zones at any time, regardless of time period, must have on hard hats.

Eye, Ear, and Face Protection

Wearing the proper protection such as goggles, safety glasses, and face shields, can prevent most eye injuries.

Suitable safety eye and face protection devices shall be worn in designated areas or whenever the work being performed could result in injury to the eyes from flying particles, splattering liquid, or harmful light rays.

Any employee who works with and around heavy machinery and within the shop and/or the field without safety glasses, safety shields, and/or earplugs will be subject to disciplinary action, up to and including suspension and/or immediate termination of employment. This does not apply to those who work primarily within non-safety sensitive areas of the Company (i.e., administration). This does not apply to those who work primarily within non-safety sensitive areas of the Company (i.e., administration).

Head Protection

Approved head protection, such as hard hats, must be worn in construction and other areas designated by Management by all people who enter the working environment, including Visitors, *See Policy 4.12 Personal Visitors*.

Foot and Hand Protection

Any employee who works with and around heavy machinery and within the field shall wear steel toed shoes suitable for the type of Safety-Sensitive work environment.

Gloves, or welding mittens where suitable, shall be used for hand protection.

This does not apply to those who work primarily within non-safety sensitive areas of the Company (i.e., administration).

Clothing

You are required to provide and wear clothing which will afford sufficient protection for all working conditions. Do not wear clothing such as dragging pants; pants with cuffs; loose or

torn clothing; or any other clothing that could get caught in machinery or otherwise cause an accident.

Outer garments must be worn at all times and are expected to cover the shoulders, trunk, and legs to the knees. Closed-toe shoes appropriate for the working conditions must be worn at all times.

Jewelry and Accessories

Rings and other jewelry, including other accessories, which could be caught to cause injury, shall not be worn in the work area.

Hair

Hair shall be worn at a length and in a style that will prevent it being caught in machinery/equipment on any job to which you are assigned.

Should you not have the appropriate clothing, shoes, or have accessories that cause a safety hazard, you will be asked to remove, if appropriate, or you will be sent home to change into appropriate clothing for your safety and the safety of others. Should you be sent home, you will be required to clock-out; the time away from work will not be paid.

4.10 Weapons in the Workplace

Heartland Tank strictly forbids the possession or display of any firearms or weapons of any type by anyone while on Heartland Tank's premises or while engaged in the business of Heartland Tank except as set forth in this policy.

For purposes of this policy:

- Heartland Tank's premises include but are not limited to any buildings, property, parking garages, outside parking lots, vehicles belonging to Heartland Tank, and other property owned or leased by Heartland Tank.
- Weapons include, but are not limited to, guns, knives, or swords with blades over four inches in length, explosives, and any chemical whose purpose is to cause harm to another person.

If you are lawfully able to transport or possess firearms, you are permitted to keep firearms safely secured and locked within your personal vehicle; the firearms should not be visible to a passerby. Please notify your supervisor if you have a firearm in your personal vehicle.

If your work requires you to use an item that might qualify as a weapon, you must receive authorization from Management to bring that item to work or use it in the Workplace. Any employee who is aware of a violation of this policy and/or the presence of any firearm or other type of weapon is required to report immediately to a supervisor or Manager if the supervisor is unavailable.

Any violation of this policy may result in disciplinary action up to and including termination.

4.11 Workplace Violence Prevention

Heartland Tank is committed to preventing Workplace violence and to maintaining a safe work environment. Heartland Tank prohibits and will not tolerate any form of Workplace violence by an employee, supervisor, Manager, or third party, including Customers, visitors, and/or vendors at the Workplace, while the business of Heartland Tank is being conducted, and at Heartland Tank -sponsored events.

All employees should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. We prohibit Weapons from being kept on Heartland Tank's premises without proper authorization.

For the purposes of this policy, Workplace violence includes:

- Assault and/or Battery;
- Making threatening remarks (written or verbal);
- Aggressive or hostile acts such as shouting, using profanity in an aggressive or abusive manner, and making threatening gestures, throwing objects at another person, fighting, or intentionally damaging a coworker's property;
- Bullying, intimidating, or harassing another person (for example, making obscene phone calls or using threatening body language or gestures, such as standing close to someone or shaking your fist at them);
- Behavior that causes another person emotional distress or creates a reasonable fear of injury, such as stalking.

This list is illustrative only and not exhaustive. No form of Workplace violence will be tolerated.

All threats of (or actual) violence, either direct or indirect, should be reported immediately to your supervisor and if unavailable to your Manager. This includes threats by employees as well as threats by Customers, vendors, visitors, or anyone else you encounter while conducting the business of Heartland Tank. When reporting a threat of violence, you should be as specific and detailed as possible.

Be sure to report any suspicious person or activities as soon as possible to your supervisor and if your supervisor is unavailable to your Manager. Do not place yourself in peril. If you see or hear a commotion or disturbance near your work area, do not try to intercede or see what is happening.

If you become aware of an imminent violent act or threat of an imminent violent act, immediately contact appropriate law enforcement, then contact your supervisor and if your supervisor is unavailable contact your Manager.

If you witness or are subjected to any conduct you believe violates this policy, you must report it to your supervisor and if your supervisor is unavailable to your Manager as soon

as possible. Your report should be detailed as possible, including the names of all individuals involved and any witnesses.

We will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the person who made the report will be protected to the extent practical. To maintain Workplace safety and the integrity of its investigation, Heartland Tank may suspend an employee, either with or without pay, pending investigation.

Any person who violates this policy will be subject to disciplinary action, up to and including termination of employment. Any person who violates this policy may be reported to law enforcement, if appropriate and possibly a restraining order and civil penalties.

If you are having a dispute or differences with another employee, we encourage you to discuss it with your supervisor before the situation escalates into potential violence. Heartland Tank is eager to assist in the resolution of employee disputes and we will not discipline an employee for raising these types of concerns in good faith.

4.12 Personal Visitors

To provide for the safety and security of employees and the Workplace only authorized visitors are allowed. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects Confidential Information, safeguards employee welfare, and avoids potential distractions and disturbances. For these reasons, the following protocols are put in place.

Visitors of employees should be accompanied wherever is appropriate. Employees are expected to take the appropriate steps to minimize any potential exposure of Confidential Information in advance of the visit and not allow visitors where Confidential Information is readily visible. You are responsible for the conduct and safety of your visitors, including compliance with any PPE requirements. *See Policy 4.9, Personal Protective Equipment Mandatory Requirements.*

Visitors should not be permitted access to secured areas where cash, securities, negotiable instruments, or Confidential Information is maintained and/or held. Additionally, visitors are prohibited from hard hat construction areas.

Pets in the Workplace and on the Worksite

To provide for the safety and security of employees and within the Workplace or at any Worksite, pets, or animals, of any kind, are not permitted.

4.13 Driving for Business and Safe Driving Practices

When driving for business related to Heartland Tank or when performing your job duties, you are expected to engage in safe driving practices and comply with this policy. This policy applies when driving on behalf of Heartland Tank, conducting business related to Heartland Tank, or performing your job duties. This policy applies to use of any vehicle while conducting Heartland Tank's business, including but not limited to your vehicle, a rental

vehicle, or a leased vehicle (“Vehicle”), Company Vehicle, and/or a DOT Vehicle. Those who operate DOT Vehicles for DOT purposes (transporting) are also expected to comply with any applicable DOT Rules and Regulations.

If you are driving for business related to Heartland Tank, you must maintain a valid driver’s license, have a safe driving record, and have the minimum legally mandated insurance on your Vehicle. In addition, you are responsible for using the Vehicle in a safe, lawful, and reasonable manner.

When using a Vehicle for business purposes you are responsible for using the Vehicle in a safe, lawful, and reasonable manner.

In the event that your driver’s license is suspended or revoked, you must notify your supervisor as soon possible. Consistent with pertinent background check laws, Heartland Tank reserves the right to evaluate the driving record of any employee who is driving for business purposes and may revoke driving privileges on behalf of Heartland Tank, as necessary.

When transporting passengers for business purposes, the number of passengers cannot exceed the number of passenger seats available in the Vehicle and the passengers may only be transported, if necessary, for business purposes and as authorized by this policy.

Safety Standards

Everyone operating a Vehicle, including for business purposes is expected to operate the Vehicle in a safe and lawful manner. Safe driving standards include, but are not limited to:

- Maintaining a reasonable rate of speed;
- Abiding by traffic signals and signs;
- Wearing seat belts;
- Avoiding aggressive and reckless driving;
- Never driving in unsafe conditions;
- Never driving when impaired by alcohol, Drugs, or fatigue;
- Never texting or emailing while driving;
- Never talking on a Device while driving without the use of a hands-free mechanism;
- Never listening to headphones while driving.

Any call taken while operating a Vehicle, should be kept short and only if you are able to stay alert and focused on driving. Take special care in situations where there is traffic, inclement weather, or when driving in an unfamiliar area. Under no circumstances should you put yourself or others at risk.

When operating a Vehicle for business purposes, you should take steps to avoid damage to it and its contents, by following Policy 4.1, Health, and Safety in the Workplace and by following these guidelines:

- Keeping property secure, including locked doors, closed windows, and properly maintained valuables (including Confidential Information). Personal items or losses generally will not be reimbursed.
- Never transporting dangerous or flammable materials unless specifically authorized by Heartland Tank.
- Never picking-up hitchhikers.
- Never transporting items for third-parties other than those associated with Heartland Tank s business and legitimate business purposes.

In the event of an accident, the driver must stay with the Vehicle and file a police report or otherwise cooperate with the police as applicable. You should not attempt to provide medical care to those involved in an accident beyond your level of suitable training. The driver of the Vehicle must communicate the details of any accident and/or theft of Heartland Tank property, and any moving violations to their supervisor as soon as possible and take all further action in accord with the policies herein, including, but not limited to Policy 4.2, Procedure for Reporting Workplace Injuries, and Illnesses.

You will be responsible for any traffic violations and/or citations, including associated fines, received while operating a Vehicle for business purposes, if the citations are based on violations of this policy or any other policy set forth in this Handbook.

4.14 Emergency Action Plan

In case of an emergency, your first priority should be the safety of our Customers, fellow employees, and yourself. As a safety precaution, you should familiarize yourself with the location and use of all fire-fighting equipment in the building as well as with the building evacuation procedures and nearest tornado shelter.

The best way to report an emergency is by dialing “911” on the telephone. Just as soon as you are able to safely do so, you should contact your supervisor or if your supervisor is unavailable contact your Manager.

In many types of emergencies, you will be required to stop work immediately, shut off all electrical equipment and machines, if possible, and then walk to the closest marked exit. Emergencies that could cause evacuation include fire, floods, bomb threats, or similar disasters.

- For tornadoes or other severe weather, you should go to the place designated for such emergencies – if no basement is available, then a lower-level inside room.
- For fires, floods, or bomb threats, you should evacuate the building using the marked exits and proceed to the designated meeting location.
- For other emergencies that may require you to shelter-in-place, either a designated code word will be utilized to alert you that you should shelter-in-place immediately or an announcement to shelter-in-place (if it can be done safely). When alerted to shelter in place, you should immediately and quickly take steps to close and lock all windows and doors, close any blinds or window shades in your area, turn off the lights in your area, and silence any device within your area that may make any noise,

including fans. If you were alerted to shelter in place through the use of the code word, do not make any calls to anyone other than to 911. Do not talk loudly and make as little noise as possible. Do not attempt to exit the premises or take any action until advised it is safe to do so.

For individuals working with Customers, vendors, or visitors, please assist them in following the appropriate evacuation or shelter instructions. With the exception of assisting Customers, vendors, or visitors, there are no business operations that would require you to keep working during an emergency. Therefore, **all employees** are expected to leave the building immediately when an evacuation order is announced. No provisions are made for employees who remain within the building to perform rescue, medical or fire-fighting duties.

Once all employees have gathered in the appropriate location after evacuation, supervisors will begin accounting for all employees and visitors, and report the results to their Manager. If an employee or client is missing, report it to your supervisor. The supervisor will notify a Manager, who will then coordinate search and rescue efforts with emergency responders. Do not re-enter the building until instructed to do so by Management or designee.

In the event of a disaster where Heartland Tank offices are affected, Management will determine a location for essential staff to assemble and implement a disaster plan.

4.15 Emergency Closings

At times, emergencies such as severe weather, including snow and slick roads, fires, or power failures can disrupt Heartland Tank's operations. In extreme cases, these circumstances may require closing the office. In these circumstances the following protocol is in place:

- Management will assess the situation as reported in the broadcast media, including road conditions, power outages, and actions taken by other businesses. Based on their findings, a decision will be made on whether to a) open on time; b) open late; or c) remain closed for the day.
- Employees will be contacted by Management.
- When the timing of a winter storm forces an early morning decision rather than one the night before, no employee will be penalized for arriving late for work within reasonable limits.

When operations are officially closed due to emergency conditions, you may request to use any accrued and unused PTO. You will still be required to follow the procedures set forth in Policy 3.10, Attendance, Punctuality, and Absences, and Policy 6.4, Paid Time Off.

4.16 Loss of Property

We must all work together to protect the property of employees and of Heartland Tank. It is important that you protect your personal property at all times, paying close attention to not leaving a handbag, wallet, or other valuables unattended or unsecured. Heartland Tank cannot accept responsibility for the loss or damage of your personal property. Any personal property found by an employee, Customer, or visitor should be given to the Office Manager, who will secure the property until the owner is identified.

4.17 IT Resources and Communications Systems

Heartland Tank's computers, networks, communications systems, and other Information Technology ("IT") resources are intended for business purposes only. To protect Heartland Tank and its employees, it is the Company's policy to restrict the use of all IT resources and communications systems for business purposes only.

The Company's policies prohibiting Harassment, Discrimination, and retaliation (*see* Policies 2.1, Commitment to Equal Employment Opportunity; 2.3, Prohibition Against Discrimination and Harassment; 2.4 Prohibition Against Retaliation), apply to the use of the Company's IT resources and communications systems. No one may use any communications, resources, or computer systems in a manner that may be construed by others as discriminatory, harassing or offensive based on race, color, religion, sex, national origin, age, disability, genetic information, or any other characteristic protected by federal, state, or local law.

The use of Heartland Tank's IT resources and communications systems by you shall signify your understanding and agreement to the terms and conditions of this policy as a condition of employment.

Security, Access, and Passwords

It is your responsibility to adhere to IT security guidelines including but not limited to the creation, format, and scheduled changes of passwords. All usernames, pass codes, passwords, and information used or stored on the Company's computers, devices, tablets, networks, and systems are the property of Heartland Tank. You may only use a username, pass code, password or method of encryption that has been issued to you or authorized in advance by the Company.

You should not share usernames, pass codes or passwords with any other person. You shall immediately inform your supervisor and if your supervisor, if you know or suspect that any username, pass code or password has been improperly shared or used, or that IT security has been violated in any way. Supervisors are expected to immediately notify their Manager when alerted to a compromise of Confidential Information.

Resources and Systems Covered by This Policy

This policy governs all IT resources and communications systems owned by or available at Heartland Tank, and all use of such resources and systems when accessed using an employee's own resources, including but not limited to:

- Email systems and accounts;
- Internet and intranet access;
- Telephones and voicemail systems, including wired and mobile phones, smartphones, and pagers;
- Printers, photocopiers, and scanners;
- Fax machines, e-fax systems, and modems;
- Timeclock;

- Security system;
- Computers, laptops, tablets, or like device or system;
- All other associated computer, network and communications systems, hardware, peripherals, and software, including network key fobs and other devices;
- Closed-circuit television (CCTV) and all other physical security systems and devices, including access key cards and fobs.

No Expectation of Privacy

All contents of the Heartland Tank's IT resources and communications systems are the property of the Company. Therefore, you should have no expectation of privacy whatsoever in any message, files, data, document, facsimile, telephone conversation, Social Media post, conversation or message, or any other kind or form of information or communication transmitted to, received, or printed from, or stored or recorded on the Company's electronic information and communications systems.

You are expressly advised that in order to prevent against misuse, Heartland Tank may monitor, intercept and review, without further notice, every employee's activities using the Company's IT resources and communications systems, including but not limited to email (both outgoing and incoming), telephone conversations and voicemail recordings, instant messages and internet and Social Media postings and activities, and you consent to such monitoring by your acknowledgement of this policy and your use of such resources and systems. This might include, without limitation, the monitoring, interception, accessing, recording, disclosing, inspecting, reviewing, retrieving, and printing of transactions, messages, communications, postings, logins, recordings, and other uses of the systems as well as keystroke capturing and other network monitoring technologies.

The Company may also store copies of such data and communications for a period of time after creation and may delete such copies from time to time without notice.

Do not use the Company's IT resources and communications systems for any matter that you desire to be kept private or confidential from the Company.

Be advised that any information that passes through any of the Company's computers and/or computer equipment is considered "Company Property." Company Property may be reviewed at any time by the Company. You understand that the Company has a right to do this and that there is no expectation of privacy in terms of any information stored or that passes through Company Property, including computers and laptops owned by the Company. *See also* Policy 3.15, Company Property, Usage, and Equipment.

Network Systems

Heartland Tank maintains integrated computer and data communications networks to facilitate all aspects of its business. The systems provided by the Company are also considered Company Property. You may never sign on to any network equipment using the password or username of another employee. No employees should access, attempt to access, alter, or delete any network document except in furtherance of authorized Heartland Tank

business, including, but not limited to updating any software or programs on Heartland Tank's computer or data networks or systems.

Downloading and Installing Software/Website Agreements

Email and downloading from the internet are prime sources of viruses and other malicious software. Therefore, no one may download or install any software or shareware to their hard drive that is not expressly authorized or approved by your supervisor. You should be careful not to download material that may be subject to copyright laws or that would violate anti-piracy laws. Also, you may not accept the terms or conditions of website agreements without first obtaining approval from your supervisor. Additionally, you should refrain from updating any software or programs on Heartland Tank's computer or data networks or systems without having first obtained the approval of your supervisor.

Confidentiality and Proprietary Rights

Heartland Tank's Confidential Information and intellectual property (including trade secrets) are extremely valuable to Heartland Tank. Treat them accordingly and do not jeopardize them through your use of electronic communications systems, including email, text messaging, internet access, Social Media and telephone conversations and voicemail. *See also* Policy 3.2, Confidential Information.

Do not use Heartland Tank's name, brand names, logos, taglines, slogans, or other trademarks without written permission from Heartland Tank.

You should also refrain from making public comment regarding the Company and/or its Customers.

You are also prohibited from using the Company's IT resources and communications systems in any manner that would infringe or violate the proprietary rights of third parties. Electronic communications systems provide easy access to vast amounts of information, including material that is protected by copyright, trademark, patent, and/or trade secret law. You should not knowingly use or distribute any such material downloaded from the internet or received by email without the prior written permission of Heartland Tank.

Spam

Unfortunately, users of email will occasionally receive unsolicited commercial or bulk email (spam) which, aside from being a nuisance and a drain on IT resources, might be a means to spread computer viruses and other malicious software. Avoid opening unsolicited messages and report any suspicious email to the administrator. Delete all spam immediately. Do not reply to the message in any way, even if it states that you can request to be removed from its distribution list. If delivery persists, contact your supervisor who will block any incoming email from that address.

Users should be aware that spammers have the ability to access email addresses that are listed as senders or recipients on email messages, on websites, user discussion groups, and other internet areas. Therefore, you should be cautious about using and disclosing your company email address.

Etiquette

Proper business etiquette should be maintained when communicating via phone, email, and text messaging. Text messaging is discouraged and may only be used when expressly authorized by your supervisor.

When writing an email or text for business purposes, be as clear and concise as possible. Sarcasm, poor language, inappropriate comments, attempts at humor, and so on, should be avoided. When communicating via email and text, there are no facial expressions and voice tones to assist in determining the meaning or intent behind a certain comment. This leaves too much room for misinterpretation. Email communications should resemble typical professional and respectful business correspondence.

Personal Use of Company-Provided Email

Limited, occasional, or incidental use of email for personal, non-business purposes is understandable and acceptable, and all such use should be done in a manner that does not negatively affect the systems for their business purposes. Employees are expected to demonstrate a sense of responsibility and not abuse this privilege. However, any personal use of email is not considered private and may be reviewed by the Company.

Personal Use of the Internet

Personal use of the Internet (including Social Media) is never permitted during working time or by means of the Company's computers, networks, laptops, tablets, and other IT resources and communications systems.

Use of Social Media

Like other uses of the internet, personal use of Social Media is never permitted during work time or when using the Company's computers, networks and other IT resources and communications systems unless it is specifically for business purposes, and you have been expressly designated to engage in Social Media for business purposes.

Telephone and Voicemail

Heartland Tank provides landline and/or mobile telephone access and voicemail systems to certain employees for use in connection with performance of their job duties. To ensure that our Customers are provided with courteous and respectful service, and to prevent misuse of the Company's IT resources, telephone conversations and voicemail messages of every employee may, without notice, be monitored, recorded, and reviewed. Heartland Tank may also store recorded telephone conversations and voicemail messages for a period of time after they take place and may delete such recordings from time to time.

Personal Use of Telephone and Voicemail

Personal use of Heartland Tank's telephones or voicemail is not permitted for long-distance or toll calls. Employees are required to practice discretion in using Company telephones when making local personal calls. Personal phone calls are to be made only when necessary and restricted to a brief conversation.

Use of a Company-provided cellphone that results in additional charges will be reimbursed by the employee to the Company by and through a payroll deduction.

Remember that Heartland Tank expressly reserves the right, without further notice, to monitor, review and record telephone conversations and voicemail messages you have or leave whether business or personal in nature, and you consent to such monitoring, review and recording by your acknowledgement of this Handbook and by using any of Heartland Tank's telephones or voicemail systems.

Inappropriate Use of Company IT Resources and Communications Systems

You are never permitted to use the Company's IT resources and communications systems, including email, text messaging, internet access, Social Media, telephones, and voicemail, for any inappropriate or unlawful purpose. This includes but is not limited to:

- Misrepresenting yourself as another individual or company;
- Sending, posting, recording, or encouraging receipt of messages or information that may be offensive because of their sexual, racist, or religious Content;
- Sending, posting, receiving, downloading, displaying, printing or otherwise disseminating material that is sexually explicit, profane, obscene, Harassing, fraudulent, Discriminatory, defamatory, or otherwise unlawful;
- Revealing proprietary or Confidential Information, including official Heartland Tank information, employee information or intellectual property without authorization.
- Conducting or soliciting illegal activities;
- Disseminating or storing commercial or personal advertisements, solicitation promotions, destructive programs (viruses or self-replicating code), political information, or any other unauthorized material;
- Representing your personal opinion as that of the Company's;
- Interfering with the performance of your job or the jobs of other Heartland Tank employees;
- Violating any copyright or anti-piracy laws;
- Violating any state, federal, or international laws;
- For any other purpose that violates Heartland Tank policies or practices.

Conduct Not Prohibited by this Policy

This policy is not intended to preclude or dissuade employees from engaging in legally protected activities, including the National Labor Relations Act, including, but not limited to restricting communications or actions protected or required by state or federal law (i.e., discussing the terms and conditions of employment).

Employees who violate any provision of this policy are subject to discipline, up to and including termination of employment and may be subject to civil liability and/or criminal penalties.

4.18 Document Retention and Destruction

Heartland Tank may adopt and modify, from time to time, a plan for the retention and destruction of documents, including electronic data. You will be expected to conform to that plan, including any provision calling for the preservation of any documents that may be relevant to actual or anticipated litigation.

4.19 Employee Privacy

You should not expect to have any privacy while on Heartland Tank's premises or when using Heartland Tank's IT equipment (such as telephones, smart phones, PDAs, voicemail, computers, email, internet, Wi-Fi, etc.) or other property belonging to Heartland Tank. Indeed, you may be monitored via security cameras, GPS, or monitoring software.

As a condition of your employment, you are consenting to the disclosure to Heartland Tank of any information revealed by such monitoring, including any files or information maintained or passed through Heartland Tank's IT network. This may include disclosure of emails and other files accessed, sent, or received through Heartland Tank's IT systems, even if through an email or other account personal to you and/or password protected. Heartland Tank reserves the right to inspect or search its equipment or software and/or access, monitor, read, and/or copy messages at any time, without additional notice or consent.

The rights retained by Heartland Tank identified above are by virtue of its positions as owner of the information technology, use of Heartland Tank's premises, and as your employer. This does not give you or other coworkers the right to access, monitor, or search the personal or information technology of another employee, unless doing so is part of your job with Heartland Tank and you expressly have been directed to do so by Management.

4.20 Workplace Searches

To maintain a safe, healthy, and productive work environment, Heartland Tank reserves the right at all times to search or inspect employees' surroundings and possessions. This right extends to the search or inspection of clothing, offices, files, desks, credenzas, lockers, bags, briefcases, containers, packages, parcels, boxes, tools, Heartland Tank's computers, Heartland Tank's laptops, phones used for work purposes, lunch boxes, any employer-owned or leased Vehicles, and any other place where items prohibited by Heartland Tank's policies may be concealed. Employees should have no expectation of privacy while on Heartland Tank's premises, except in restrooms or locker rooms.

Heartland Tank will not tolerate theft or unauthorized possession of Heartland Tank's property, property belonging to other employees, visitors, or Customers.

Refusal to allow search or inspection may result in discipline.

4.21 Maintenance of Work Areas and Employee Break Room

It is important that the Company provide a clean and healthy work environment. Good housekeeping reduces accidents, improves working conditions, and adds to the efficiency of your job. The following guidelines are in place to achieve this goal:

- At the end of your shift, you are expected to clean up your work areas and store things in their proper places.
- At the end of each workday log off your computer and turn the monitor off. Before leaving for the weekend, power down your computer completely.

- You are to use discretion with the type and amount of personal decorating that you do in your work area to ensure it does not interfere with production or cause a safety issue. If it does, you will be asked to remove said personal items.
- You are responsible for cleaning up after yourself in the kitchen.
- Frozen items or items that need to be refrigerated should be brought in daily and not left in the refrigerator.
- The last person to leave the building each day must ensure the facility is closed and the alarm is set. This includes making sure all equipment is turned off, all lights are off, and all doors are locked.

If you have questions about the housekeeping expectations or policy, please ask your supervisor for further clarification.

SECTION 5

WORK SCHEDULE AND PAY PRACTICES

5.1 Standard Business Hours/Work Schedule

Heartland Tank's standard office hours are 8:00 a.m. to 4:30 p.m., Monday through Friday, with the exclusion of Holidays, planned special events, or as determined necessary by Management, when the Workplace may be either closed or opened earlier.

The hours of operation for Shop Employees are Monday through Friday from 6:00 a.m. to 4:30 p.m. or as determined by Management.

The hours of operation for Field Employees vary and are determined by the Field Foreman.

Employees may take an unpaid lunch break, but those lunch breaks are determined by your supervisor.

You are expected to be at your assigned workstation or Worksite ready to begin performing work at your scheduled start time. Should you need to leave the Worksite during your scheduled work hours, you must notify your supervisor or any team members who may need you during your absence. If you leave the Worksite during your scheduled work hours for any other reason, you should also notify your supervisor prior to leaving.

The standard Workweek for Full-Time Employees varies but is at least 40 hours and a standard workday is at least 8 hours. All Full-Time Nonexempt Employees are expected to work at least 40 hours per week or as directed by your supervisor. All Exempt employees are expected to work no less than 40 hours per week on average and should be prepared to work in excess of: 40 hours per week, when needed. Regardless of your status, you are expected to complete your assigned work in a prompt and timely manner.

Sometimes the workload will require time beyond the regularly scheduled work hours and additional work may be necessary. Full cooperation of all employees will be expected and appreciated.

Nonexempt employees, who are paid hourly, will receive time and one-half pay for time actually worked exceeding 40 hours in any given work week. Exempt employees are not entitled to overtime pay. All overtime payments will be made consistent with the Company's regularly scheduled payroll.

In the event that it is necessary for you to be absent or late for work, you should speak directly to your supervisor as soon as possible and comply with Policy 3.10, Attendance, Punctuality, and Absences.

5.2 Timekeeping

All employees, including supervisors who report for Field Employees, are responsible for accurately recording the hours actually worked. Off-the-clock work is strictly prohibited.

You are responsible for ensuring that the time you worked is accurately recorded for each day. Any use of paid leave should also be recorded as set forth in Policy 6.4, Paid Time Off.

Depending on your job duties and job assignments, it may be necessary for you to work overtime. Your supervisor will notify you of the expectations for overtime. It may vary depending on your work assignment or on a case-by-case basis.

Altering, falsifying, tampering with time records, or recording time on another employee's time record will result in disciplinary action, up to and including termination of employment.

Only actual Hours Worked should be recorded in any method used by Heartland Tank for tracking an Employee's time. Time should be recorded on the day it is actually worked. Excessive Hours Worked in one day may not be recorded on multiple days.

Supervisors are responsible for ensuring compliance with time recording deadlines for purposes of payroll. Leave requests shall be submitted in accord with Policy 6.4, Paid Time Off.

Should you need to make corrections or modifications to time reported, you must receive approval of your supervisor prior to modification. Should Heartland Tank need to make corrections or modifications to the time reported having been worked by you, you will be notified of the modification and the basis for the modification. In the event that you dispute modifications made, contact the Office Manager immediately.

The time recorded should accurately reflect the hours actually worked and any leave taken, paid or otherwise. An uninterrupted and non-working lunch break is not considered paid time and should be reflected accordingly on the time sheet as a meal break. All other personal time away from work must also be recorded.

5.3 Lunch Break and Nursing Mother Breaks

Heartland Tank provides breaks for employees as outlined in this policy. Unpaid breaks should be recorded as such for timekeeping purposes.

Lunch Break

When a lunch break may be taken will be determined by your supervisor. For Non-Exempt Employees lunch breaks are unpaid. If there is a medical reason for when you may need to take a lunch break, please notify your supervisor. *See also* Policy 2.2, Reasonable Accommodation.

Reasonable Nursing Mother Breaks

All Employees who are nursing mothers are eligible to take a lactation break to express breast milk for up to one (1) year after the birth of the employee's child. Heartland Tank encourages all eligible employees who intend to take breaks under this policy to notify their supervisor of their intent.

Eligible employees may take a reasonable amount of time as a break to accommodate the employee's need to express breast milk for the employee's nursing child. Eligible employees should notify their supervisor of the frequency, timing, and duration of lactation breaks needed to be taken.

After one (1) year, if a Nonexempt Employee desires to continue to express breast milk for the benefit of the employee's child, the employee may use lunch breaks for expression. Any additional time needed should be coordinated with the employee's supervisor. The additional time needed may be unpaid, depending upon the frequency and length of time needed.

Your supervisor will provide information about the designated location for lactation breaks.

5.4 Overtime

Employees are expected to be able to work overtime when the need arises.

Nonexempt Employees and Overtime

A Nonexempt Employee will be paid time and one-half for actual Hours Worked in excess of 40 hours during a scheduled Workweek, Monday through Sunday. Paid holidays and/or use of Paid Time Off are not considered as hours actually worked.

Overtime is paid only when actual Hours Worked exceed 40 hours in a Workweek. Your supervisor sets the hours expected and needed; the basis for the hours set may be dependent upon the work assignment or project. The hours expected to be worked may include overtime hours.

If you believe you need to work hours in excess of those set by your supervisor, you should request approval for working the excess hours in advance. Failure to obtain advance approval from your supervisor may result in disciplinary action up to and including termination.

Nonexempt Employees will receive time and one-half pay for actual Hours Worked exceeding 40 hours in any given work week.; all overtime payments will be made in

accordance with the pay period schedule corresponding with the time in which the overtime was worked.

Working overtime to make up for time-off is not permitted and working through lunch breaks to make up for time-off is generally not permitted. Any variation of this policy should be authorized in advance and in writing by your supervisor.

Exempt Employees and Overtime

Exempt Employees are expected to work hours beyond their regularly scheduled 40 hours a week. Employees classified as Exempt will not be paid overtime for working beyond their regularly scheduled hours.

5.5 Employment Classifications and Categories

Understanding the definitions of the employment classifications and categories at Heartland Tank is important. Your classification and category determine your employment status and benefit eligibility. No classification or category guarantees employment for any specified period of time. See Policy 1.3, At-Will Employment.

Employee Classifications

Heartland Tank designates each employee as either **Exempt** or **Nonexempt**, depending on your position, in compliance with applicable federal, state, and local law.

- **Nonexempt** employees are entitled to overtime pay under the specific provisions of federal and state laws.
- **Exempt** employees are paid a fixed salary and are not entitled to overtime pay and are excluded from specific provisions of federal and state wage and hour laws.

Exempt or Nonexempt classification may be changed only by the Executive Team, and you will be provided with written notification of the change. If you are uncertain as to your status, please contact your supervisor.

In addition to the Exempt and Nonexempt classifications, you also belong to one of the following employment categories: Regular Full-Time; Regular Part-Time; Temporary and Seasonal; and Probationary.

- **Regular Full-Time** Employees are employees who are not in a seasonal or introductory status AND who are regularly scheduled to work the full-time schedule at Heartland Tank.
- **Regular Part-Time** Employees are employees who are not in a seasonal or introductory status AND who are regularly scheduled to work less than the full-time work schedule.
- **Temporary and Seasonal** Employees are employees who are hired on an “as-needed” basis, or as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond the initially stated period

does not in any way imply a change in employment status. Seasonal employees retain that status unless and until they are notified of a change.

- **Probationary** Employees are employees whose performance is being evaluated to determine whether further employment in a specific position or with Heartland Tank is appropriate. Employees who satisfactorily complete the probationary period will be notified of their new employment classification. The probationary period is at least 90 days from the date of hire. *See also* Policy 7.1, Orientation Period

If you are uncertain as to your classification, please contact your supervisor.

5.6 Pay Procedures and Payroll

The official payroll Workweek for all employees begins on Monday and ends on Sunday. All Full-Time regular Nonexempt Employees are paid overtime for all actual Hours Worked in excess of 40 hours per Workweek. Working overtime that has not been pre-approved by your supervisor will result in disciplinary action. *See* Policy 5.4, Overtime.

Payroll is distributed by payroll check on the day after the last day of the pay period or by direct deposit on the following Wednesday. If a particular payday falls on a weekend or holiday, you normally will be paid on the business day after the weekend or paid holiday.

No payroll advances are permitted.

If you are absent on payday and you instruct someone to pick up your paycheck, a note dated and signed by you expressly authorizing who may retrieve your paycheck must be provided before the check can be released. The person you have authorized to obtain your paycheck must show proper identification and sign for the check.

You should review your paycheck and paystub for errors. If you find an error, you must report it to the Office Manager immediately. If there has been an erroneous overpayment or underpayment, Heartland Tank will correct the error as soon as practicable.

Be advised that any erroneous overpayment is not yours to keep and must be immediately returned to Heartland Tank. You agree to immediately reimburse Heartland Tank for any overpayment of wages or alternatively, you agree to permit Heartland Tank to deduct the overpayment of wages from your next paycheck as set forth in Policy 5.7, Payroll Deductions and Setoffs.

5.7 Payroll Deductions and Setoffs

Your paycheck reflects your total earnings for the pay period, as well as any mandatory or voluntary deductions from your paycheck.

Each employee is required to complete a W-4 at the time of employment to accommodate processing these deductions. New W-4s should be completed by each employee as appropriate. Should your circumstances change, you may complete a new W-4. Changes made to your W-4 may not go into effect until the payroll following your submission, depending on the timing of your submission to Heartland Tank.

Mandatory deductions are deductions that we are legally required to take. Such deductions include federal income tax, Social Security tax (FICA), any applicable state taxes, or wage garnishments or child support orders.

Voluntary deductions are deductions that you have authorized; such deductions might include those for health insurance, retirement contributions, disability insurance, etc. If you have any questions about your deductions or wish to change your federal withholding form (Form W-4), contact the Office Manager.

You agree and understand that Heartland Tank may also deduct from your pay the costs necessary to cover any damage to property belonging to Heartland Tank or the replacement of property that was damaged by you as set forth in Policy 3.15, Company Property, Usage, and Employee Responsibility; overpayment of wages as set forth in Policy 5.7, Payroll Deductions and Setoffs; for unauthorized, unsubstantiated, or improper charges on Company-Issued Credit Cards as set forth in 5.8, Business Expense Reimbursement and Company-Issued Credit Cards; for reimbursement of PTO hours used prior to having accrued those hours at termination, Policy 6.4 Paid Time Off; and/or for the failure to return any Heartland Tank property or for damaged Heartland Tank property at the time of termination, Policy 7.8, Return of Company Property.

All deductions from your pay will be identified on your pay stub. If you have questions concerning why a deduction was made from your paycheck or how your paycheck is calculated, consult with the Office Manager immediately.

5.8 Business Expense Reimbursement and Company-Issued Credit Cards

Business and necessary business travel expenses incurred at the direction and advance approval of Management while performing the business of Heartland Tank may be reimbursed. Mileage reimbursement rates will be in accordance with the IRS rate schedule.

Expense Reimbursement Requests

Employees may request reimbursement for business-related expenses incurred by completing an expense reimbursement form, submitting the completed form, including all receipts and appropriate substantiating documentation as required by this policy as directed by Heartland Tank. All expense reimbursement forms must be signed and verified by both the employee and Management.

Reimbursement requests must contain accurate, complete, and all appropriate documentation to appropriately substantiate the business expense

Expense reimbursement forms must include original receipts, bills, invoices, and/or other appropriate substantiating document for each expense showing:

- The amount paid;
- The date the expense was incurred and paid;
- The vendor or provider name and location;
- The nature of the expense;

- Other information required by this policy;
- Other information requested by Management.

Expense reimbursement forms relating the business use of an employee's personal vehicle must list the:

- Miles driven;
- Origin and destination;
- Date;
- Business purpose.

If a receipt or other substantiating documentation is not available, the employee must submit a written explanation of why the documentation cannot be provided. A bank statement and/or credit card statement does not fulfill the requirements of a receipt or other substantiating document for this policy. Management in its sole discretion will evaluate and determine whether the expense is reimbursable.

Employees must submit expense reimbursement forms as directed by Management no later than the first of the month following the calendar month in which the expense was incurred. Heartland Tank may not reimburse employees for any expenses submitted after this deadline.

Management will verify that expenses are permissible, and that documentation is adequate and accurate. Heartland reserves the right to refuse any expense reimbursement request that is inaccurate; does not include the appropriate substantiating documentation; is submitted late; or otherwise fails to fully comply with this policy as determined by Management. Expense reimbursement forms may be subject to audit by Heartland Tank or by government agencies.

If an employee receives a reimbursement in excess of what is owed, the employee must report the overpayment and return any excess amounts to Heartland Tank upon discovery or permit Heartland to set-off the overage with wages owed as set forth in Policy 5.7, Payroll Deductions and Setoffs.

Company-Issued Credit Card

In the event Heartland Tank determines that it is necessary for you to be issued a Company-issued Credit Card, it should only be used for authorized business expenses and may only be used as instructed by Management. Company-issued Credit Cards are Company Property and subject to Policy 3.15, Company Property, Usage, and Employee Responsibility.

All charges and usage of the Company-issued Credit Card are monitored. All itemized receipts for each charge must be submitted as directed by Heartland Tank and should be submitted no later than the 1st of the month following the month the charges were incurred. Employees must submit expense reports for the expenses incurred on their Company-issued Credit Card in the same manner as expense reimbursement requests are made, including by submitting all the necessary receipts, substantiating documentation, and approvals.

By receiving and using a Company-issued Credit Card you agree to be responsible for any unauthorized charges or charges disputed by the Company; you also agree that Heartland Tank may deduct expenses charged to the Company-issued Credit Card that are not reimbursable pursuant to this policy from your wages and/or from any reimbursement requested by you and approved by your supervisor or Manager. *See Policy 5.7, Payroll Deductions and Setoffs.*

Under no circumstance are you authorized to use the Company-issued Credit Card to make personal purchases or charges or unauthorized charges or purchases. All unauthorized charges may result in disciplinary action, up to and including termination.

Should you believe that the Company-issued Credit Card is compromised in any way, you must immediately notify your supervisor and Manager.

Use of any Company-issued Credit Card is a privilege and may be withdrawn by your supervisor or Manager at any time in its sole discretion.

Any employee who abuses this policy, for example by submitting fraudulent expense reimbursement requests or continued abuse of unauthorized charges, will be subject to disciplinary action, up to and including termination of employment.

Company-Issued Fuel Credit Cards for Company Vehicles

In the event Heartland Tank permits you to drive Vehicles owned, leased, or rented by Heartland Tank to perform work for Heartland Tank or on Heartland Tank's behalf during your employment, you are authorized to use the Company-issued Fuel Credit Card assigned to the Vehicle upon usage of the Vehicle for business purposes.

All charges and usage of the Company-issued Fuel Credit Card are monitored. All itemized receipts for each charge must be turned in to the Office Manager no later than the 1st of the month for charges incurred the previous month and in accordance with this policy.

If any receipts are lost or missing, a missing receipt form must be completed by you, signed by the Office Manager, and submitted no later than the 1st of the month for charges incurred the previous month and in accordance with this policy

You will be responsible for any unauthorized charge or charge disputed by the Company. Any unauthorized charges or charges disputed by the Company will be deducted from your pay as a payroll deduction.

Cell Phone Reimbursement

Management has determined that certain employees are eligible to obtain a Company Mobile Device or reimbursement for use of their Personal Mobile Device as set forth in this policy.

Company Mobile Device

Management has determined that certain employees may be eligible to receive a Company Mobile Device. If you receive a Company Mobile Device, you are obligated to participate in the Company's cellphone and data plan. If an employee who is eligible to receive a Company Mobile Device, elects for an upgrade in excess of what the Company has authorized, the employee will pay for the increased cost of the upgraded Company Mobile Device.

Any Device provided by the Company is Company Property, including the phone number assigned to the Company Mobile Device. An employee who receives a Company Mobile Device is expected to comply with all applicable policies identified in this Handbook, including Policy 3.17, Use of Devices for Work.

The Company Mobile Device shall be most recent model, business class, as determined by the Office Manager. If an upgrade is desired, the eligible Employee may pay the difference for the upgraded Company Mobile Device. If the employee elects to upgrade the Company Mobile Device, it remains Company Property.

The Company may provide replacement Company Mobile Devices as it deems necessary and appropriate. If the Employee is deemed to have intentionally damaged the Company Mobile Device or have failed to utilize the mandatory safety screen protectors or cases, the employee may be assessed the costs for replacement of the Company Mobile Device.

Upon termination, the Company Mobile Device should be returned to the Company. The Company shall retain the assigned phone number, and the terminated employee will no longer be eligible to participate in the Company's cellphone and data plan.

Reimbursement for Use of Personal Mobile Devices

Management has determined that certain employees may be eligible to receive a cellphone reimbursement in the amount of \$60 per month to reimburse an employee for use of their Personal Mobile Device for work purposes.

If Management has determined that you are eligible for reimbursement for the use of your Personal Mobile Device, you must comply with this policy and also Policy 3.17, Use of Devices for Work.

If you are an eligible employee and you desire this reimbursement, you should notify the Office Manager.

If you have any questions about this policy, you should ask the Office Manager for guidance.

Employees who violate any provision of this policy will be subject to discipline, including termination of employment, and may be subject to civil liability and/or criminal penalties.

5.9 Garnishments

Employees are expected to manage their personal financial affairs in a manner that does not interfere with the performance of their job for Heartland Tank or create unreasonable administrative work to assist creditors in collecting debts from employees. All notices or

correspondence regarding garnishments or other claims against the pay of an employee are to be forwarded immediately to the Office Manager. Heartland Tank will comply with all lawful orders for withholding amounts for payment of debt from the regular pay of employees and will promptly notify the employee of such withholding.

SECTION 6 EMPLOYEE BENEFITS

6.1 Introduction – Overview of Benefits

Heartland Tank provides certain legally required employment benefits (such as workers' compensation and unemployment insurance) as required by applicable state and federal laws.

Heartland Tank also offers additional optional employee benefit plans and programs in accordance with and subject to the eligibility and other provisions of plans and programs. Some of the benefits offered include group health insurance, vision insurance, and PTO.

Eligibility for enrollment is dependent on the terms of the Plan Documents for each benefit program. Your eligibility and qualification for each benefit program depends on a variety of factors, including, but not limited to your employee classification and hire date. To better understand exactly which benefit programs you are eligible for and when coverage or participation may begin, ask the Office Manager.

Any description of employee benefits in this Handbook only summarizes the provisions of a formal benefit Plan Document and does not attempt to cover all of the details contained in the Plan Document.

The operation of the Plan, including events making you eligible or ineligible for benefits, the amount of benefits to which you (or your beneficiaries) may be entitled, and actions you must take to request and support a claim for benefits will be governed solely by the terms of the official Plan Document. To the extent that any of the information contained in this Handbook, a summary plan description ("SPD") or any information you receive orally is inconsistent with the official Plan Document, the provisions set forth in the Plan Document will govern in all circumstances. See the Office Manager for Plan Documents regarding each of the benefits offered.

It is within the sole discretion of Heartland Tank to amend, modify, or cancel employee benefits not mandated by law with or without advance notice. At its sole discretion, Heartland Tank may increase employee premiums toward any benefit with or without advance notice. Nothing in this policy or in this Handbook is to be construed as creating a promise or contract of insurance or other benefits.

6.2 Worker's Compensation

Employees who are injured on the job, while acting in the scope of your employment and employed at Heartland Tank, are covered by Worker's Compensation Insurance. However, your benefits under the Workers' Compensation Insurance may be impacted if you are not acting in the scope of your employment or if you delay reporting the injury.

It is your responsibility to immediately notify your supervisor and Manager of any injuries you sustain while on the job at Heartland Tank. *See* Policy 4.2, Procedure for Reporting Workplace Injuries, and Illnesses. We encourage injured employees to seek immediate medical attention.

The Worker's Compensation plan is administered by a separate insurance policy. You must notify your supervisor and Manager of any injuries occurring while on the job so the injury may be reported. You will be contacted by a representative of the administering insurance policy. If the workers' compensation claim is denied, you will be responsible for the costs incurred as a result of your injury.

6.3 Holidays

Heartland Tank generally closes its office and observes the following holidays in a year:

- New Year's Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Eve
- Christmas Day

Nonexempt Employees must work, or have scheduled and approved PTO, the full day, if scheduled to work the day, before and after the Holiday in order to receive Holiday Pay.

Full-Time Employees will receive pay for the holidays observed by Heartland Tank. Holiday pay is calculated based on the employee's base rate of pay at the time the holiday occurred multiplied by the number of hours the employee would have otherwise worked on that day, not to exceed eight (8) hours. Pay for holidays observed by Heartland Tank is not considered Hours Worked.

Part-Time Employees who are regularly scheduled to work on a holiday observed by Heartland Tank will be paid for the hours the Part-Time Employee would have otherwise worked on that day not to exceed eight (8) hours at the employee's base rate of pay at the time the holiday occurred, provided the Part-Time Employee worked the workday before and after the holiday, provided that they were scheduled to work those days.

If any of Heartland Tank-observed holidays fall on a weekend Management will determine what day, if any, will be taken as a holiday. Heartland Tank may provide at its sole discretion additional holidays; it may also modify the holiday schedule as set forth in this policy as it deems appropriate or necessary but will generally provide at least ten (10) observed by Heartland Tank.

Occasionally, it may be necessary to require employees to work on a Heartland Tank - observed holiday. Should this be necessary, you will be notified by your supervisor. In the event you work on the Holiday, you will receive pay for the Hours Worked and eight (8) hours of pay for the holiday.

Bona fide religious holidays not observed by Heartland Tank may be granted with no pay, pursuant to your request or you may opt to use accrued, but unused PTO to observe a bona fide holiday. *See Policy 2.2, Reasonable Accommodation.* If you opt to use PTO to observe a bona fide holiday, you must comply with the process for requesting PTO as set forth in Policy 6.4, Paid Time Off.

If a Heartland Tank-observed holiday falls during a time you are using your PTO, you will receive holiday pay for the holiday, instead of PTO that would have otherwise applied.

6.4 Paid Time Off

Heartland Tank provides Paid Time Off (“PTO”) for eligible employees. This benefit covers absences for all sorts of reasons – illness, appointments that cannot be scheduled during non-working hours, family, personal matters, or to take a vacation. All leave requests (paid or unpaid) must be submitted to your supervisor in advance.

For unexpected and unforeseeable absences, employees should follow the call-in procedures set out in Policy 3.10, Attendance, Punctuality, and Absences to ensure that leave is approved and excused.

PTO accrues at the first of each year. If you exceed the allotted PTO during the year, any leave used will be unpaid.

Accrual of PTO for Eligible Employees

Full-Time Employees, who are not seasonal, are eligible to accrue PTO as set forth in this policy.

PTO is accrued on January 1, of each year and may not be used until you have been employed with Heartland Tank for a full 12 months.

If you are hired after January 1, the amount of leave you may accrue for the following January 1 is prorated based upon the month you begin your employment.

Employees qualifying for PTO are eligible to accrue a maximum number of hours per calendar year as set forth below:

Tenure as on

<u>January 1</u>	<u>Total Hours for Year</u>	<u>Equivalent # of Days/Year</u>
Years 1 – 5:	40 hours	5 days
Years 6 – 10:	80 hours	10 days
Years 11-19	120 hours	15 days
Years 20+	160 hours	20 days

For any qualified employees who received sick leave in addition to PTO, the sick leave will be combined with their vacation leave to create their bank of PTO. Any employee who had accrued vacation leave will receive the same number of hours as PTO.

No Carryover

Heartland Tank does not allow you to carry over accrued but unused Paid Time Off. Any accrued but unused Paid Time Off will be forfeited at the end of the calendar year unless prior approval from your supervisor.

Requests, Scheduling and Use of PTO

While you may accrue PTO on January 1, following your first day of employment, you may not use PTO until you have been employed with the Company for a full 12 months or at the discretion of Management.

It is expected you request leave from your supervisor **at least two (2) weeks prior** to the requested time off unless unforeseen emergent or medical circumstances exist. Requests will be reviewed and approved based on several factors, including business needs and operational requirements.

Once your request is approved, you should ensure that the time off is noted on any designated calendar or noted on the appropriate time records and ensure that your supervisor and any team members who need to know are aware of your absence.

You are expected to manage your accrued PTO accordingly. Failure to do so may result in disciplinary action. Generally, you may not use or “borrow” against PTO to be accrued in the future. Any use of PTO not yet accrued must be approved by Management in writing prior to taking the PTO even if the PTO had been previously approved at a time in which you had sufficient PTO.

No Accrual of Paid Time Off During Certain Absences

PTO may not be accrued during any unpaid leave or other periods of inactive service unless PTO accrual is required by the applicable law.

Return to Work After an Unscheduled or Emergency Absence

If you are returning to work from an unscheduled absence as a result of emergency or medical circumstances, you must complete a Request for Leave form and provide it to your supervisor upon your return to work.

Heartland Tank may require a medical certification for any unscheduled absence (to certify the absence and provide a release to return to work), but generally we will require one for:

- Any unexpected absence lasting longer than two (2); or
- An employee suspected of abusing the leave policy or appears to be a chronic abuser of the leave policy; or

- An employee who attempts to use PTO on a day when that employee is scheduled to attend a mandatory meeting, or if there is reason to believe that the employee is using PTO to avoid work responsibilities or in a manner not permitted by this policy.

Any employee who abuses or fails to properly manage their PTO may be subject to disciplinary action up to and including termination.

Termination of Employment

No matter the basis for termination of employment, accrued but unused PTO is forfeited and there is no payment for PTO at the end of an employee's employment with Heartland Tank. Any negative PTO balances will be deducted from the Full-Time Employee's final pay. An Employee who does not accrue PTO will not be paid for any PTO upon termination.

Absences Not Covered by this Policy

This policy addresses absences for PTO. It does not cover other absences, such as unexcused absences or absences for military service leave, short or long-term disability leave, if approved, or voting leave.

6.5 Unpaid Leave of Absence

Heartland Tank will consider an Unpaid Leave of Absence request from an eligible employee to fulfill personal obligations, including familial responsibilities or for health issues. Before an Unpaid Leave of Absence is granted, all accrued PTO must be exhausted (unless you do not accrue PTO).

Eligibility

Only Regular Full-Time Employees who have completed the Orientation Period are eligible to request an unpaid Leave of Absence. Requests for an unpaid Leave of Absence must be requested in writing and in advance of the leave, if possible. Where an Unpaid Leave of Absence is approved, certification for the reason may be required.

Approval and Benefits during a Leave of Absence

An unpaid Leave of Absence should only be requested when the leave is necessary and is subject to approval in advance by your Management. Approval of such leave, and the length of such leave, is entirely within Management's discretion. Consideration will also be given to anticipated workload needs and staffing considerations during the proposed absence. During the unpaid Leave of Absence, you are responsible for reimbursing Heartland Tank for its costs to continue group health insurance benefits for the continuation of coverage, and you are responsible for any additional benefit premiums elected by you. You agree and authorize Heartland Tank to deduct the reimbursement of those costs as an authorized payroll deduction.

While on an Unpaid Leave of Absence, you will not continue to accrue PTO and your employee benefits may be limited pursuant to the terms and conditions of each Plan Document governing the benefit.

Reporting During Leave of Absence

If your unpaid Leave of Absence is granted, Heartland Tank may require that you report on a regular basis regarding your ability to return to work and interest in doing so. If you do not communicate as requested, fail to return to work at the end of an authorized Leave of Absence, or fail to comply with any other requests, Heartland Tank will assume that you have resigned.

Return to Work

If your absence was due to your personal health issues, you will be expected to provide a medical certification and medical release as set forth in Policy 4.6, Employee Medical Examinations/Fitness for Duty, prior to your return to work.

Nothing about this policy excuses you from maintaining and satisfying your licensing requirements, if any. Heartland Tank reserves the right to suspend, modify, or amend this policy as necessary and based on the dictates of Heartland Tank's work demands.

6.6 Jury Duty

Heartland Tank encourages employees to fulfill their civic responsibilities by serving jury duty when required. If you are summoned for jury duty, you will be excused from work while on jury duty.

While on jury duty, your absence is unpaid, unless you elect to use PTO. Exempt Employees who perform no work during the Workweek while on jury duty will also be unpaid. Exempt Employees who perform work during the week in which they are serving on jury duty will be paid their regular wages.

If you receive a jury summons, you must provide a copy of the summons to your supervisor as soon as possible so that arrangements may be made for your leave. Heartland Tank may require you to provide proof of jury duty service to the extent authorized by law.

Should Heartland Tank determine that operational difficulties will arise from your absence, it may request that you seek to be excused from jury duty. If it is determined that your absence will cause operational difficulties, your supervisor will advise you in writing if your absence will cause operational difficulties.

If you are chosen to sit on a jury, you must inform your supervisor and Manager how long the trial is expected to last. Additionally, while on jury duty, you should communicate on a regular basis with your supervisor and Manager as to whether there is any change in status or projected length of trial.

6.7 Time Off to Vote

Heartland Tank encourages employees to fulfill their civic responsibilities by registering to vote and participating in elections. Generally, employees who are registered voters are able to find time to vote either before or after their regular work schedule. However, if you are unable to vote in an election during your nonworking hours, Heartland Tank may grant you leave, not to exceed (2) hours of time-off, to vote.

Employees should request time off to vote from their supervisor at least three (3) working days prior to the Election Day. Heartland Tank retains the discretion to determine which hours are taken and/or to modify your schedule to allow for time to vote during non-work time. If requested, employees must provide proof of voting to qualify for the voting leave.

6.8 Military Leave

Heartland Tank complies in all respects with federal law regarding leaves of absence for those serving in the military. An employee of Heartland Tank who is inducted into the armed forces for training and service, or who serves in the military reserves, is considered to be on a leave of absence during the period of training or service. Advance notice of military service is required, unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

Employees serving in the uniformed armed forces may be entitled to special protections for absences resulting from a term of service. Employees needing a leave of absence for military service, training, or related obligations, should notify Management. You are not required to use your PTO for military leave.

SECTION 7

ORIENTATION PERIOD, PERSONNEL FILES, AND CAREER DEVELOPMENT

7.1 Orientation Period

Heartland Tank wants you to be successful at your job. We believe that having an Orientation Period can be very helpful to new employees or employees holding a new position within Heartland Tank.

During the Orientation Period, your supervisor will work with you to help you learn how to do your job successfully and what Heartland Tank expects of you. This period also provides both you and Heartland Tank with an opportunity to decide whether you are suited for the position for which you were hired. During this period, your supervisor will give you feedback on your performance and will be available to answer any questions you might have. The Orientation Period provides you with opportunity to demonstrate that you can perform your job at a satisfactory level of performance and to determine if the new job meets your expectations.

The first 90 days of your employment, whether as a new employee or in a new position with Heartland Tank is considered the Orientation Period, which is essentially a probationary period. During the Orientation Period, you are classified as a Probationary Employee. At any point during the Orientation Period, you may be terminated.

The Orientation Period may be extended, if we determine that there was not adequate time to evaluate your performance. In the event the Orientation Period is extended, you will be given written notice of the extension.

For purposes of the application of 40 O.S. § 3-106(5) only, the Orientation Period shall be considered a “probationary period” such that if you are terminated for unsatisfactory performance during this period, you will *not* be entitled to the recovery of unemployment benefits.

When the Orientation Period is satisfactorily completed, your classification will change from probationary to your designated employment classification.

During the Orientation Period, there may be some benefits or leave for which you are not eligible until successful completion of the probationary period. Be sure to review the information for each leave or benefit program for the exact eligibility requirements.

Neither the Orientation Period nor the completion of it guarantees you a job for any period of time or in any way changes the at-will employment relationship. (For an explanation of at-will employment, *see* Policy 1.3). Your employment may end at any time, with or without cause, either during or after this period should termination be deemed necessary by either you or Heartland Tank.

7.2 Personnel Records and Personnel Files

Heartland Tank maintains a personnel file on each employee, and it maintains confidentiality of all personnel records. These files are the property of Heartland Tank. No information will be placed in a personnel file unless there is a clear business reason to do so. Due to the confidential nature of personnel files, the Office Manager is responsible for controlling all access to files.

Only those with direct need to know are allowed access to individual personnel records. Access will be limited to the employee, your supervisor, Office Manager, and Management. Personnel files are not to be removed from the premises. Upon written request and approval, you may review your personnel file in the presence of Management. Should you request copies of your personnel file, Heartland Tank may charge a reasonable copying fee unless prohibited by local, state, or federal law.

You are responsible for informing Heartland Tank of any updates or changes to your personal information in the event it is necessary for Heartland Tank to either contact you or your emergency contacts and any personal changes that may alter payroll, withholdings, or benefit designations for spouses, dependents, and beneficiaries. Such information may include, but is not limited to:

- Name;
- Address;
- Telephone Number;
- Marital Status and any changes;
- Dependent Changes;
- Beneficiaries;
- W-4 Deductions;
- Emergency Contact(s);

- Any changes or restrictions on your driver's license;

It is also your responsibility to ensure that your contact information is current and accurate.

7.3 Background Investigation

To ensure that individuals who join Heartland Tank are well qualified and have a strong potential to be productive and successful, it is the policy of Heartland Tank to conduct pre-employment background checks and in some instances credit checks. Heartland Tank may also perform random, reasonable background investigations on all employees. You may be requested to execute the necessary forms for Heartland Tank to conduct the necessary background checks.

7.4 Performance Evaluation

The best communications about job performance happen on an informal, day-to-day basis. Performance evaluations will be conducted at the end of the probationary period. They will also usually occur twice a year or on an annual basis as determined by Management.

The performance evaluation gives you and your supervisor the opportunity to discuss job responsibilities and goals, encourage and recognize strengths, identify, and correct any weaknesses, develop plans for dealing with any obstacles, and plan for the future.

The annual performance of all employees is generally evaluated on an ongoing 6-month or 12-month cycle. More frequent performance evaluations may be conducted to address the existence of performance or disciplinary problems.

From time-to-time Heartland Tank may award merit-based pay adjustments in recognition of truly superior employee performance. These adjustments are based on numerous factors, including the information documented by the performance evaluation process.

7.5 Corrective Action/Discipline

Performance improvement may be suggested whenever Management believes that your performance is less than satisfactory and can be resolved through adequate counseling. Corrective counseling is completely at the discretion of Management. Heartland Tank expressly reserves the right to discharge "at-will."

Even if corrective counseling is implemented, you may be terminated at any time at the discretion of Heartland Tank. If corrective action, discipline, or a performance improvement plan is implemented, it does not alter the at-will relationship.

Heartland Tank implements in its sole discretion the discipline or corrective action which it deems appropriate.

Any employee conduct that, in the opinion of Heartland Tank, interferes with or adversely affects our business or violates any policy of Heartland Tank is sufficient grounds for disciplinary action. Disciplinary action can range from verbal warnings, written reprimands, corrective action, performance improvement plans, suspension without pay, reassignment, and termination. In choosing the appropriate disciplinary action, we may consider any number of following things:

- The seriousness of your conduct;
- Your history of misconduct;
- Your employment record;
- Your length of employment;
- The strength of evidence against you;
- Your ability to correct the conduct;
- Your attitude about the conduct;
- Actions we have taken for similar conduct by other employees;
- How your conduct affects Heartland Tank, its business relationships, and your coworkers; and
- Any other circumstances related to the nature of the misconduct, your employment with Heartland Tank, and the effect of the misconduct on the mission, values, and business of Heartland Tank.

We will give these considerations whatever weight we deem appropriate. Depending on the circumstances, we may give some considerations more weight than other considerations – or no weight at all.

Heartland Tank has determined that some conduct, by its very nature, is so harmful to the success of Heartland Tank that it may result in immediate termination. Here are some examples, some of which have been set out in this Handbook:

- Falsifying employment, time, or any other records belonging to Heartland Tank;
- Falsifying documents related to the business of Heartland Tank;
- Committing Fraud upon Heartland Tank;
- Unauthorized use, misuse, removal, theft, or damage of Heartland Tank's property or the property of another employee, person, or entity with which Heartland Tank is working;
- Making a false or misleading statement, including but not limited to, on a job application (or similar document), time sheet, expense report;
- Threatening or invading the physical safety of coworkers, supervisors, Managers, or any other person or entity with which Heartland Tank works, including threats of violence, physical assault, or unauthorized possession of a weapon;
- Breach of Heartland Tank's Confidential Information;
- Violations of safety rules;
- Any illegal conduct that may bring Heartland Tank into disrepute;
- Excessive tardiness or absenteeism of any type;
- Unsatisfactory job performance;
- Working under the influence of alcohol or Drugs in violation of Heartland Tank's policy;
- Working under the influence of any substance which impairs your ability to perform your job duties;
- Distribution, sale, transfer, or use of alcohol or Drugs in the Workplace, while on duty, or while operating Vehicles for Heartland Tank or Heartland Tank's equipment in violation of Heartland Tank's policies;

- Illegally manufacturing, possessing, using, selling, distributing, or transporting Drugs;
- Insubordination;
- Willfully violating Heartland Tank's rules, policies, and procedures; and
- Engaging in or failing to file a Complaint of Discrimination and Harassment or Retaliation as set forth in this Handbook.

It is impossible to compile an exhaustive list of the types of conduct that will result in immediate termination. The ones listed above are merely illustrations.

You should remember that your employment is at the mutual consent of you and Heartland Tank. Nothing in this policy alters the at-will employment relationship. *See* Policy 1.3, At-Will Employment.

7.6 Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

- **Resignation**—voluntary employment termination initiated by an employee.
- **Involuntary**—employment termination initiated by Heartland Tank.
- **Job Abandonment**—employee is absent from work without proper notification.
- **Retirement**—voluntary employment termination initiated by the employee meeting age, length of service, and any other criteria for retirement from Heartland Tank.

Since employment with Heartland Tank is based on mutual consent, both the employee and Heartland Tank have the right to terminate employment at will, with or without cause, at any time. Some benefits may be continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

Accrued but unused PTO is not paid out upon termination – no matter the reason for termination. *See* Policy 6.4, Paid Time Off

Voluntary Resignation

It is requested that you give Heartland Tank at least two (2) weeks' written notice prior to your effective date of resignation. Heartland Tank reserves the option to accelerate your resignation to occur prior to your requested resignation date. Nothing about the request for advance notice alters the at-will relationship between you and Heartland Tank. Failure to provide the customary advance notice may, however, render you ineligible for rehire.

Job Abandonment

If you are absent from work without proper notification to your supervisor or without proper certifications, you will be considered to have abandoned your job after three (3) consecutive days of absence and will be considered having resigned your employment without notice. The effective date of termination will be the last day in which you performed work. If you

abandon your job, you will be paid only for each day actually worked. If you abandon your job, you may not be eligible for rehire.

Involuntary Separation

If you are terminated for violations of this Handbook or misconduct, you may not be eligible for rehire.

Retirement

An employee electing to retire should give adequate notification to Management to ensure proper transition of duties and processing of paperwork. Adequate notification is no less than 30 days prior to the date of retirement.

Nothing about the request for advance notice requested in this policy alters the at-will relationship between you and Heartland Tank. See Policy 1.3, At-Will Employment.

7.7 Exit Interview

Upon termination of employment, for whatever reason, you may be requested to meet with your supervisor or Manager to discuss such items as:

- Status of benefits
- Final Pay
- Return of key, key fob, and any other property of Heartland Tank
- Other items such as correct forwarding address, etc.

You may also request an exit interview. If you are participating in an exit interview, you may be given a confidential exit interview questionnaire in advance to complete and bring to the exit interview. During the exit interview, your supervisor or Manager will discuss with you the comments made on the questionnaire.

7.8 Return of Company Property

As part of your job, you may be issued or given temporary possession of Company Property, including, but not limited to materials, laptops, data, keys, written information, and the information contained on your Personal Mobile Device, pursuant to Policy 3.17.

You are responsible for maintaining Company Property in your possession, and you are expected to return it promptly when requested or if your employment ends. You are also expected to handle with care and maintain any property entrusted to Heartland Tank. In situations where you do not return Company Property or return it damaged or damage property entrusted to Heartland Tank's care, we may take steps to recover the item or the cost to replace or repair the item by withholding and deducting the replacement or repair cost from your regular or final paycheck as set forth in Policy 5.7, Payroll Deductions and Setoffs, and Policy 3.15, Company Property Usage, and Employee Responsibility, and as allowed by law, and/or by taking civil or criminal legal action.

7.9 Final Paycheck

Upon separation of employment, you will receive your final paycheck on the next regularly designated pay day. The final paycheck will include all compensation earned but not yet

paid through the date of termination, less any authorized deductions, including deductions for Heartland Tank's property not returned as authorized by law.

7.10 Rehire

Any former employee who is rehired after termination will normally be treated as a new employee for purposes of PTO accrual and tenure unless agreed to in writing by Management. Restoration of prior service and eligibility for participation in retirement and insurance plans is subject to and governed solely by the applicable Plan Documents.

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING OF THE HEARTLAND TANK'S EMPLOYEE HANDBOOK

By signing below, I acknowledge the following:

1. I have received and read a copy of Heartland Tank's Employee Handbook ("Handbook"). I understand that the Handbook is not intended to cover every possible circumstance that may arise in connection with my employment with Heartland Tank, and for questions not answered in this Handbook; I should consult with my supervisor or Manager.
2. In addition to my personal review of this Handbook, I have reviewed with my supervisor and had an opportunity to ask questions about the policies contained in each of the Sections of the Employee Handbook, specifically Sections 1 through Sections 7.
3. I have reviewed Policy 5.7, Payroll Deductions and Setoffs, and understand, agree, consent, and authorize the payroll deductions and Setoffs as outlined in the policy.
3. I agree to abide by the policies and procedures set out in the Handbook.
5. I understand that Heartland Tank may add, modify, or cancel the policies, procedures, and benefits set forth in the Handbook in its sole discretion and at any time and will do so in a writing that is circulated and posted for employees to review.
6. I further understand that my employment at Heartland Tank is at-will, and neither I nor Heartland Tank has entered a contract regarding the duration of my employment. I am free to terminate my employment with Heartland Tank at any time, with or without reason. Likewise, Heartland Tank has the right to terminate my employment, or otherwise discipline, transfer, or demote me at any time, with or without reason, in its sole discretion. I understand that no employee of Heartland Tank can enter an employment contract or make any agreement contrary to this policy except the Executive Team in a written document.

Signature of Employee

Date

Printed Name

TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE