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## **ARGOS USA SOLICITATION AND DISTRIBUTION**

### **Purpose**

In an effort to maintain an efficient and safe work environment, the following rules are applicable to the solicitation of employees and the distribution of literature at all Argos USA facilities.

### **Scope**

This policy applies to solicitation and distribution at all of the Company's facilities for all purposes, including miscellaneous charities, outside companies and businesses, raffles, lotteries, sale of merchandise, and membership in organizations including local unions, lodges, and similar organizations. The only exception to this policy will be for Company-sponsored charitable activities.

### **Solicitation of Employees**

Solicitation by an employee, for any purpose, is prohibited when the employee soliciting or the employee being solicited is, or should be, performing his/her job duties or is otherwise on work time or in a work area.

### **Distribution of Written Materials**

Employees cannot distribute written materials and literature in work areas at any time.

The sale of illegal items is not permissible at any time.

### **General Guidelines**

All documentation being distributed on Company property is subject to Company review and approval. Documentation that, in the sole opinion of the Company, contains any of the following is expressly prohibited: defamatory or vulgar language, personal insults directed at members of management, disparaging or malicious remarks about Company employees, discriminatory or insensitive language or comments that reasonably result in creating a hostile work environment. Any unauthorized literature or materials must be removed by the manager or supervisor.

### **Non-Employees**

Under no circumstance will non-employees be permitted to solicit or distribute materials for any purpose on Company property without prior authorization from the Human Resources Department.

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### **Disciplinary Action**

Any violation of this Policy will result in employees being subjected to disciplinary action and non-employees being escorted off Company property.

Questions regarding the interpretation or application of this policy should be directed to the Human Resources Department.

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## **ARGOS USA BULLETIN BOARDS**

### **Purpose**

The purpose of this policy is to provide standards regarding the use of bulletin boards.

### **Scope**

This policy applies to all facilities occupied and/or controlled by Argos USA.

### **Policy**

Each Company location will designate a prominent and accessible area in the workplace for posting notices and posters of state and federal employment laws and policies, as well as important Company announcements.

The Company bulletin boards are used by management to communicate information to employees that affects the worksite or job on such issues as:

- Equal employment opportunity
- Wage and hour
- Health and safety
- Argos USA policies
- Business announcements
- Other official communications

Employees may not post, tape, tack, or affix in any manner on Company bulletin boards, walls, or elsewhere on Company property any of the following items: literature, printed or written materials, photographs, or personal notices.

Any posting that is not posted by management and/or that is not an official Company communication will be removed.

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## **ARGOS USA VISITORS**

### **Purpose**

The purpose of this policy is to create a standard regarding visitors to Argos USA locations.

### **Scope**

This policy applies to all locations of Argos USA, and for the purpose of administering this policy, former employees will be considered "non-employee visitors."

### **Policy**

Non-employees must report to the office and sign in and receive site specific training required and inform the batch operator as to the purpose of their visit. Any employees who observe visitors on the Company grounds should direct the visitors to the office.

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## **ARGOS USA SMOKING POLICY**

### **Purpose**

The purpose of this policy is to eliminate the exposure of employees to the hazards of second-hand smoke.

### **Scope**

This policy applies to all facilities occupied and/or controlled by Argos USA.

### **Policy**

It is the policy of Argos USA to comply with local ordinances and regulations regarding smoking and to maintain a smoke-free environment in designated areas.

The following facilities are designated as smoke-free:

1) All buildings

- a) Inside any office building or leased space in a multi-tenant facility, occupied by Argos USA.
- b) Smoking may be permitted outside the building but only either where so designated or where smoking receptacles are present.

2) Offices in production areas

- a) Inside any production office area.
- b) No smoking will be allowed in any company building own or leased. Employees are encouraged to no smoke in a company owned vehicle or equipment.

**Disciplinary Action:** Any employee smoking outside of the designated smoking areas or within any smoke-free facility will be subject to disciplinary action.

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## **ARGOS USA VIOLENCE IN THE WORKPLACE**

### **Purpose**

The purpose of this policy is to set forth guidelines to ensure the maintenance of a safe, healthy, and productive workplace for all employees. This policy also discusses unacceptable behaviors.

### **Scope**

This policy applies to all locations of Argos USA.

### **Policy**

It is the policy of Argos USA to maintain a safe, healthy, and productive workplace for all employees. Intimidation, threats, or violent acts that distract from the quality of our work and the safety of our employees and customers are unacceptable behavior. Argos USA will not tolerate any violent conduct while on Company property, Company-controlled sites, or on working time. Violent conduct includes, but is not limited to:

- Threatening, intimidating, or violent behavior or gestures
- Verbal or physical abuse
- Threats of physical violence or stalking
- Possession or use of weapons (including by those licensed to carry concealed weapons)
- Vandalism, arson, or any other coercive act against any person or property
- Jokes, making light of, or offensive comments regarding violent acts or situations

Violence outside the facility but related to the employee's employment is also considered to be a violation of this policy.

Weapons are strictly prohibited on Company property including, but not limited to all plant, terminal, production sites, construction sites, and offices, or any location where Argos business is conducted. Weapons of any type are not allowed to be brought onto Company property. This includes a weapon left in a personal vehicle parked on Company property. Failure to comply with this policy will result in the immediate removal from the premises of non – employees. Argos employees in violation of this policy will be disciplined up to and including termination of employment.

Any Company event on Company property that requires the possession and use of firearms must have the approval of the responsible VP, Safety Manager and Human Resources Department. If hunting by individual employees is allowed on Company property the employee must have the written approval of the local manager responsible for the site. Even with this approval employees cannot have any weapons in their car during their working hours.

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## **Reporting**

Any employee who has witnessed potentially threatening or violent behaviors which are a violation of this policy is strongly encouraged to promptly report the matter to his or her immediate supervisor or manager through the Company's Problem Resolution Procedure. Argos USA will take appropriate corrective action to remedy violations of this policy. Corrective action may involve removing the violent employee from the premises and notifying local law enforcement authorities. Disciplinary action, up to and including termination of employment may be taken. Appropriate privacy safeguards will be applied and confidentiality will be maintained to the extent allowed by the investigation of the situation.

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## **ARGOS USA SEARCHES**

### **Purpose**

The purpose of this policy is to set forth guidelines regarding searches.

### **Scope**

This policy applies to all business units of Argos USA.

### **Policy**

The Company reserves the right at all times, and without prior notice, to inspect any and all Company property for the purpose of determining whether the Violence In The Workplace policy or any other Company policy has been violated. All employee vehicles and containers brought onto Company property are also subject to inspection by the Company.

Immediately before an inspection of employee property is conducted, the employee will be asked for his or her consent. However, failure to give consent to such inspection will be cause for disciplinary action, up to and including termination.

Such inspections will be conducted by at least two company representatives in the presence of the employee at any time the Company has a reasonable suspicion that a Company policy has been violated and that such an inspection is reasonably necessary in the investigation of suspected violations.

### **Definition:**

Company property is all property, real estate, buildings, or vehicles owned by or leased to any entity or organization within Argos USA. Also included is any property belonging to the employee that is on Company property.



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## **ARGOS USA COUNSELING AND CORRECTIVE ACTIONS**

### **Purpose**

The purpose of performance counseling and any subsequent corrective action is to correct poor employee performance or workplace conduct. The corrective action must suit the offense, and other factors such as the employee's work record, extenuating circumstances, and common sense must be taken into consideration.

### **Scope**

This policy applies to all employees of Argos USA. It is the responsibility of each Division or Department head to fairly and consistently apply this policy in accordance with (i) federal, state, and local laws and (ii) business needs.

### **Policy**

Argos USA generally follows a practice of progressive corrective actions in which repeated employee offenses are addressed by increasingly severe corrective measures. Some offenses could result in accelerated corrective action, including immediate termination, depending on their nature and impact. Supervisors should apply the concept of progressive corrective action, up to and including termination, to employees when improper behavior occurs or persists.

### **Before initiating any corrective action, a supervisor should:**

- 1) Gather all the facts surrounding the incident.
- 2) Allow the employee to explain his/her understanding of the incident.
- 3) Determine whether the employee was informed of the work rules or previously advised about the issue prior to the offense.
- 4) Check the employee's personnel file to determine if previous similar violations have occurred and to determine the proper level of corrective action.
- 5) Review the proposed corrective action with the Human Resources Department prior to meeting with the employee.

### **Performance and Behavioral Counseling Records**

A written memo will serve as documentation of **all** counseling **and** corrective action taken with an employee. Guidelines regarding the use of written documentation are:

1. An employee should receive a copy of the counseling statement as soon as possible after the performance or behavior violation.

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2. All counseling documentation should be written and sent to the Human Resources Department as soon as practical after the counseling.
3. Each documented counseling statement will be for a specific offense and will inform the employee about possible future corrective action in the case of recurrence.
4. The counseling statement should be discussed with the employee by the supervisor. Written documentation of counseling should never be given to an employee without one-on-one discussion.
5. The employee should always be asked to sign and acknowledge receipt of the written counseling document and be given the opportunity to respond. The supervisor should inform the employee of the right to place a copy of his/her version of the incident in his/her personnel file.
6. If the employee refuses to sign the statement, the supervisor should so annotate the refusal.
7. The supervisor should also sign the statement and provide the employee with a copy of the document. The original document should be forwarded to the Human Resources Department for filing in the employee's personnel file.

### Guidelines

All corrective actions are to be handled in private and should be conducted away from the work area and the other employees in the department. When correcting an employee, the names of witnesses or complaining parties should not be mentioned. In addition, the discipline should not be discussed with other employees in or out of the department unless a legitimate "need to know" exists.

The following steps should be used as guidelines in the administration of progressive corrective action. Supervisors are not required to go through each step of corrective action in this procedure, but may begin at any step, depending on the seriousness of the offense.

#### **I. Documented Verbal Counseling (DC)**

Most first offenses, except those of a very serious nature, should be handled with a verbal counseling. The supervisor should **document** verbal counseling incidents and keep a record of the conversation.

#### **II. Written Warnings/Notices (WN)**

The second step in progressive corrective action is a formal written warning should be issued.

If an employee receives a second written warning within a one-year period for the same or similar offense, then he/she is subject to more severe corrective action, up to and including termination of employment.

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### **III. Decision Making Conference with Probation (DM/P)**

In some instances, placing an employee on a suspension or probationary status may be warranted due to the severity or recurrence of the performance or behavioral problem. Such situations should be discussed with the Human Resources Department prior to taking this action.

If a suspension or probation status is given, the employee will be told the cause for and duration of the probationary period and the next step in the corrective action process if the problem is not corrected or recurs during the probationary period.

Probationary periods may vary depending on the nature of the problem, giving the employee and the supervisor adequate time to determine if the problem has been resolved.

### **IV. Termination for Cause (D)**

Employees who commit a serious offense, fail to meet prescribed standards of behavior, or perform unsatisfactorily after formal corrective efforts have been made should be terminated "for cause."

Employees who have been terminated for cause are eligible for payment of earned, unused vacation. In some cases, accrued vacation in the current calendar year may be paid.

Employees who have been terminated for cause are not eligible for rehire.

A termination report must also be supplied to the Human Resources Department immediately following employee termination.

#### **Prohibited Conduct:**

Employees involved in any of the following misconduct should be appropriately corrected. Employees are responsible for familiarizing themselves with this and other Company policies and for monitoring their own behavior. This list is not intended to be all-inclusive.

1. Falsification of personnel records or any Company records.
2. Theft or unauthorized removal of Company or co-worker property.
3. Unauthorized posting, removing, or altering any material on the bulletin boards.
4. Deliberately violating a safety rule or safety practice or causing injury to another employee.
5. Use of offensive, abusive, or threatening language; fighting or threatening the physical wellbeing of fellow workers, supervisors or customers.

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6. Restricting output of work by slowing down, carelessness of work, deliberately refusing to follow instructions or insubordination.
7. Selling, soliciting, collecting contributions for any purpose on Company property during working time without express permission from the Human Resources Department and immediate supervisor.
8. Improper use of, or damage to, Company property/equipment, including failure to follow instructions on proper usage.
9. Personal use of Company property, including products that Argos USA produces, as well as tools, equipment and vehicles owned by the Company, for other than Company business without expressed written approval.
10. Horseplay, lack of attention to duties, wasting time during work hours, unauthorized sleeping, or interference with other employees.
11. Making false, vicious, or malicious statements concerning any employee, the Company or its products.
12. Habitual tardiness or repeated absences from work.
13. Bringing, using, possessing, or being under the influence of controlled substances or alcohol on Company premises at any time, or smoking in unauthorized areas.
14. Unauthorized possession of firearms, other weapons, or explosives on the premises.
15. Gambling, participating in lotteries, or any other game of chance on Company premises.
16. Entering the Company's facilities or remaining on the premises when not on duty or scheduled to work.
17. Using radios, tape recorders, cameras, cell phones, or other appliances and electronic devices, except as authorized by the Company.
18. Unwelcome or inappropriate sexual advances or harassment of any kind toward another employee.

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## **ARGOS USA PROBLEM RESOLUTION**

### **Purpose**

Argos USA believes that all employees should be treated fairly in all aspects of their work and should have an opportunity to discuss work-related problems in an atmosphere of cooperation. The purpose of this procedure is to formally provide that opportunity.

### **Scope**

This procedure is to be available at all locations of Argos USA. Questions about this procedure should be directed to an employee's supervisor or the Human Resources Department.

### **Procedure**

#### **I. Informal Resolution:**

Work-related problems are best resolved at an early stage. Many problems, once brought to a supervisor's attention, can be resolved quickly and informally through discussions between the employee and his or her supervisor in the normal course of the employee's activities. Each employee is responsible for bringing any such matters to the attention of his or her supervisor as soon as possible.

#### **II. Formal Resolution:**

Where a work-related problem is not resolved to the employee's satisfaction through informal means or where, because of the nature or significance of the problem, the employee prefers that the matter be addressed by the Company through a more formal procedure, the employee must follow the more formal resolution procedure stated below. In such cases, the employee is responsible for following this procedure promptly and in good faith.

The formal procedure is as follows:

1. The employee is responsible for presenting the problem to his or her supervisor as soon as possible. The nature of the problem must be set out in a written statement by the employee and provided to his or her supervisor.
2. A supervisor, upon receipt of the employee's written statement, is responsible for giving it immediate attention. The supervisor should reply in writing to the employee within five (5) working days of the receipt of such statement. The supervisor's reply should answer any questions asked by the employee and explain any misunderstanding, Company policy, or corrective action involved.



3. In the event the supervisor's reply and resolution of the problem is not satisfactory to the employee, the employee may request that the matter be reviewed by the supervisor's immediate supervisor. (To avoid confusion, this supervisor is referred to in this procedure as the "reviewing supervisor.") This request must be made in writing to the reviewing supervisor within five (5) working days from the date of the immediate supervisor's reply. The immediate supervisor will forward to the reviewing supervisor a copy of the employee's written statement and a copy of his or her reply. The reviewing supervisor will meet with the employee or contact the employee by telephone, at the reviewing supervisor's discretion, in order to allow the employee an opportunity to explain the problem. If possible, this meeting or call should take place within five (5) working days of the request. This meeting may be attended by the employee alone or by the employee and the employee's immediate supervisor at the discretion of the reviewing supervisor conducting the meeting. The reviewing supervisor should notify the employee in writing of the decision within five (5) working days of the meeting.
4. If the employee is not satisfied by the decision of the reviewing supervisor called for in Step 3, the employee may request the next higher level of supervision to review the matter. (To avoid confusion this supervisor is referred to in this procedure as the "senior supervisor.") Such request must also be made in writing within five (5) working days of the date of the reviewing supervisor's response. The senior supervisor will also be forwarded copies of the employee's statement and the replies by the immediate supervisor and the reviewing supervisor. This procedure does not require that the senior supervisor meet with the employee or personally contact the employee by telephone. Normally, the decision of the senior supervisor will be communicated in writing to the employee within ten (10) working days.

### III. Sensitive Matters Involving a Supervisor:

If the problem relates to a harassment or discrimination issue between an employee and the employee's supervisor or involves any other matter which, because of the reporting relationship, is inappropriate to be decided by the employee's immediate supervisor, the employee should proceed directly to step 2 (i.e., contact the supervisor of the employee's immediate supervisor) or contact a member of the Human Resources Department or another Company official.

### IV. Investigations and Confidentiality:

Some problems will require an investigation. Normally, such investigations will be conducted by the Human Resources Department. These investigations are conducted in a professional manner and in confidence to the extent reasonably possible in the circumstances. The Company, however, cannot provide any assurance of confidentiality in this regard. For example, in investigating harassment issues, it is often necessary to disclose the identity of the alleged victim and the nature of the allegations to the alleged harasser or potential witnesses.

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## **Human Resources Department**

The Human Resources Department is available to assist employees and supervisors in this Problem Resolution Procedure at any stage, whether before or during the process. Any employee with any questions about this procedure should contact the Human Resources Department.

## **Retaliation**

No supervisor or other employee may intimidate or impose any form of retribution on any other employee who utilizes this Problem Resolution Procedure. Retaliation will not be tolerated. Employees who engage in any form of retaliation will be subjected to discipline, up to and including discharge.

## **Limitations**

This Problem Resolution Procedure is intended by the Company to create a means to resolve work-related problems in a fair, cooperative, and expeditious manner. The Company, however, reserves the unqualified right to modify or discontinue this procedure at any time without notice. All references to timing of decisions by supervisors are guidelines and are not to be interpreted as obligations of the Company.

## **Contacts**

Attached or posted alongside this procedure are the names and phone numbers of persons within the Human Resources Department who you should contact with any questions about this procedure. These person(s) are available to help you in this process.

SOUTH CENTRAL ZONE: Patrick Passmore, Human Resource Director – (972) 621-0999, ext. 3314

SOUTHEAST ZONE: Mike Beer, Human Resource Director – (678) 746-2108

CEMENT TERMINALS and Argos USA HQ: Robert Farmer, Sr. Director, Human Resources – (972) 621-0999 ext. 3305

ARGOS READY MIX: Mike Beer, Human Resource Director – (678) 746-2108

ARGOS CEMENT: Peter Turco, Human Resource Director – (678)-746-2006

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## **ARGOS USA MOONLIGHTING/OUTSIDE EMPLOYMENT**

### **Purpose**

The purpose of this policy is to communicate the Company's rules on employment outside of Argos USA.

### **Scope**

This policy applies to all employees of Argos USA.

### **Policy**

It is the expectation that for all full time employees, Argos USA employment takes precedence over other employment in which an employee may be involved. Because of this Company expectation, employees may not enter into employment relationships with persons or organizations where such an arrangement may be directly or indirectly detrimental to Argos USA or upon which compensation is contingent, or a result of, the individual's employment with Argos USA.

If there is, or if there may be, even the appearance of a conflict of interest between a second job and the employee's primary job at Argos, the employee must receive approval from his/her immediate supervisor and the Human Resources Department prior to securing such a job. The employee's supervisor and the Human Resources Department will determine if there is a possible conflict of interest, such as, but not limited to, conflicting hours, hazardous duty, the potential of transferring company confidential or proprietary information, etc.

If it is determined that the other employment has a detrimental effect on job performance at Argos USA, the employee will be asked to resign from the other position or will be terminated from Argos USA.



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## **OPERATING COMPANY VEHICLES**

### **Purpose**

The purpose of this policy is to communicate the Company's rules regarding operating a vehicle on behalf of the Company.

### **Scope**

This policy applies to all employees of Argos USA.

### **Policy**

Only those employees who possess a current, valid and appropriate license will be allowed to operate a vehicle on behalf of Argos USA. This policy applies to all employees utilizing a Company owned, rented or leased vehicle. Any employee subject to this policy must maintain a current, valid, and appropriate license at all times from the state in which the employee resides. Employees must comply with all applicable state traffic laws, including using seatbelts.

Any employee who is subject to this policy and has his or her license suspended, revoked, canceled, or whose license expires without renewal shall immediately cease operation of any vehicle and notify his or her immediate supervisor by the end of the next working day. It is the sole responsibility of the employee to report any suspension, revocation, cancellation or expiration of his or her license, as well as advising his or her supervisor of any change in driving status.

All accidents involving a Company vehicle must be reported immediately, or as soon as possible, to the employee's immediate supervisor, the safety department and/or human resources responsible for the area at which the employee works. Employees involved in an accident in a Company vehicle will be required to take a post-accident drug screen.

Employees are required to immediately contact their supervisor regarding any accident involving a company vehicle. Failure to timely report an accident and/or refusing to submit to a post-accident drug screen will be grounds for discharge.

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## **ARGOS USA LOITERING AND TRESPASSING**

### **Purpose**

The purpose of this policy is to communicate the Company's rules on loitering and trespassing on Company property.

### **Scope**

This policy applies to all employees of Argos USA.

### **Policy**

Employees are not permitted to remain, wander around or hang out ("loiter") in the buildings, structures, or work areas of the Company, or in any parking areas located on Company property, for any purposes unless specifically directed otherwise by management, before or after working hours. Off duty employees violating this policy will be asked to leave the property immediately. Employees who refuse to leave or continue to violate this policy will be subject to disciplinary action, up to and including termination of employment.

Employees are also prohibited from allowing non-employees or unauthorized visitors on Company property; therefore, all non-employees and/or visitors must report to the main office to obtain management authorization to enter the premises and to register his or her presence on the property by signing in. If an employee has a scheduled visitor he or she is to alert the main office at the facility being visited as to the specific time of arrival and the name of the person(s) arriving. Upon completion of the visit, the visitor must return to the office to sign out. Argos USA employees who visit another site location are required to sign in at the facility office.

At the discretion of a facilities manager, non-employees and/or visitors may be required to be accompanied by an employee at all times while on Company property. Non-employees and visitors without authorization, on Company property, will be asked to leave immediately. Those who do not leave may be reported to local authorities.