



**USA**

# **EMPLOYEE HANDBOOK**

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## **TABLE OF CONTENTS**

- I. INTRODUCTION**
- II. VISION AND CORPORATE CULTURE**
- III. GUIDING POLICES**
  - A. EMPLOYMENT AT WILL**
  - B. EQUAL EMPLOYMENT OPPORTUNITY**
  - C. PROHIBITION OF UNLAWFUL DISCRIMINATION AND ANTI-HARASSMENT**
  - D. IMMIGRATION LAW COMPLIANCE**
  - E. DRUG-FREE AND ALCOHOL-FREE WORKPLACE**
  - F. WORKPLACE VIOLENCE**
  - G. PROBLEM RESOLUTION**
  - H. DISCIPLINARY PROCEDURES**
  - I. OPEN COMMUNICATIONS**
  - J. SOLICITATION, DISTRIBUTION, ACCESS TO PREMISES AND TRESPASS**
  - K. VISITORS IN THE WORKPLACE**
  - L. HEALTH AND SAFETY**
  - M. COMPANY COMMUNICATION AND INFORMATION POLICIES**
- IV. ONCE YOU BEGIN EMPLOYMENT**
  - A. EMPLOYMENT CATEGORIES**
    - 1. FULL-TIME EMPLOYEES**
    - 2. PART-TIME EMPLOYEES**
    - 3. TEMPORARY EMPLOYEES**
    - 4. NON-EXEMPT EMPLOYEES**
    - 5. EXEMPT EMPLOYEES**
  - B. YOUR JOB DESCRIPTION**
  - C. EMPLOYEE DEVELOPMENT AND TALENT MANAGEMENT**
  - D. DRESS AND PERSONAL APPEARANCE**
  - E. ATTENDANCE AND PUNCTUALITY**
  - F. LUNCH PERIODS**
  - G. YOUR PAYCHECK**
  - H. SMOKING POLICY**
  - I. EMPLOYMENT OF RELATIVES**
  - J. JOB POSTING AND EMPLOYEE REFERRAL PROGRAM**

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- K. [CONFIDENTIAL MATERIAL](#)
  - L. [ACCEPTING/GIVING OF GIFTS](#)
  - M. [PUBLIC RELATIONS/MEDIA](#)
  - N. [TRAVEL POLICY](#)
  - O. [BENEFITS OVERVIEW](#)
  - P. [EDUCATIONAL ASSISTANCE PROGRAM](#)
  
  - V. [TIME OFF](#)
    - A. [HOLIDAYS](#)
    - B. [VACATION](#) AND [VACATION PURCHASE PLAN](#)
    - C. [SICK TIME](#)
    - D. [FAMILY AND MEDICAL LEAVE](#)
    - E. [FAMILY LEAVE IN INDIVIDUAL STATES](#)
    - F. [PARENTAL LEAVE](#)
    - G. [BEREAVEMENT LEAVE](#)
    - H. [MILITARY DUTY](#)
    - I. [JURY DUTY](#)
  
  - VI. [EMPLOYEE INFORMATION PRIVACY POLICY](#)
  
  - VII. [VOLUNTARY RESIGNATIONS](#)

## **I. INTRODUCTION**

*Welcome to Lummus Technology! We hope that your employment with us will live up to your expectations, and that your experience with us will be a rewarding one.*

*We are pleased to provide you with this handbook, which has been developed to provide you with general information about Lummus Technology, as well as some of your benefits as an employee provided certain eligibility requirements are met. We are confident that this handbook will be a helpful reference during your employment with our Company. Although the policies contained in the handbook pertain to a wide variety of situations, they are not all inclusive. Employees are subject to all of Lummus Technology's rules and regulations, whether set forth in this handbook or elsewhere. Please read this handbook thoroughly and retain it for future reference. We encourage you to ask questions of your manager or the Human Resources Team for clarification of our policies or of your job responsibilities.*

*This handbook is not a contract but a guideline. Its contents should not be interpreted as an express or implied contract or covenant of any type between Lummus Technology and its employees. This handbook and all of Lummus Technology's policies and guidelines are, of course, subject to modification or rescission by Lummus Technology from time to time to deal with changing conditions. Lummus Technology reserves the right to modify this handbook and all policies such as personnel policies, wage policies and all other terms and conditions of employment at any time without notice, subject to applicable employment and labor laws.*

*This handbook supersedes any and all previous employee handbooks and management memos which may have been issued on subjects covered. If you have a written contract with Lummus Technology, its terms supersede the provisions of this handbook, but only to the extent that the matter is covered under the contract. Otherwise, the terms of this handbook shall prevail. State and local laws may require some modification to the guidelines described in this handbook. It is Lummus Technology's policy to comply with applicable state and local laws in all locations where Lummus Technology has facilities and this handbook shall be automatically deemed amended to comport with such laws.*

*Early in your employment, you will realize that we have set very high standards for our employees. These are necessary if we are to sustain our growth and achievement in our highly competitive industry. At the same time, we are committed to providing you with challenging work, recognition, and appropriate compensation and benefits in order to help you reach your individual goals and objectives, as well as those of Lummus Technology.*

*By working collaboratively, we are confident that our future will be both productive and prosperous for all of us.*

*We wish you every success as you start your career at Lummus Technology.*

*The Lummus Technology Management Team*

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## II. VISION, MISSION AND CORPORATE VALUES

### Vision

Lummus Technology's Vision is what the organization works toward together, serving as a guide for clarity and inspiration. The company's vision enables better understanding and execution of our goals and strategies. Our Vision is:

**Be the world's leading process technology and solutions provider**

### Mission

Lummus' Mission highlights our purpose and why we exist. As a company we know what we do—but our Mission is *why* we do it. Our new Mission is:

**Deliver mission critical process technologies so our customers make products that improve the quality of life for people all over the world**

### Values

Our Values serve as a compass to help us achieve our Vision and Mission. These values will strengthen our business and, for our clients, prove that we do indeed offer the best technology and technology solutions anywhere in the world. Lummus' Values are:

**Innovation** – We continue to build on over a century of innovation and creativity, transforming big ideas into real solutions.

**Partnership** – We build lasting relationships with our customers, partners and employees to position all stakeholders for success.

**Excellence** – We deliver excellence and value in everything we do, and consistently strive to elevate our performance.

**Growth** – We constantly pursue strategies and initiatives to grow as a company and as individuals.

**Family** – We trust each other, collaborate, communicate openly and stand together to unify our people and our business.

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### **III. GUIDING POLICIES**

#### **A. EMPLOYMENT AT WILL**

Employment at Lummus Technology is “At Will,” which means that any employee may voluntarily resign at any time, and that Lummus Technology may discharge any employee at any time, with or without cause or notice.

There is no promise of any kind by Lummus Technology contained in this handbook or any other document provided to employees by Lummus Technology. Lummus Technology remains free in its discretion to change wages, benefits and all other working terms and conditions of employment without prior consultation, agreement, or notice to employees.

This handbook and any other documents of Lummus Technology do not constitute contracts of employment, either expressly or implied.

#### **B. EQUAL EMPLOYMENT OPPORTUNITY**

The Company provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, sexual orientation, national origin, age, disability, or status as Vietnam-era or special disabled veteran or any other prohibited basis in accordance with all applicable federal laws. In addition, the Company complies with applicable state and local laws governing nondiscrimination in employment. It is the obligation of every employee to adhere to the spirit, as well as the letter, of these practices. This policy applies to all terms and conditions of employment including, without limitation, hiring, placement, promotion, termination, lay-off, recall, transfer, leaves of absence, compensation and training.

The company will not tolerate discrimination and expressly prohibits any form of unlawful employee harassment based on race, color, religion sex, sexual orientation, national origin, age, disability, marital or veteran status or any other basis prohibited by applicable law. It is a condition of employment that employees cooperate in all of the Company’s investigations, including those involving a complaint of illegal discrimination or harassment. If you believe that you are the victim of illegal discrimination or harassment, or have witnessed such an incident, please follow the procedures set forth under our policy titled “Prohibition of unlawful discrimination and anti-harassment.” No retaliation will be taken against an employee who makes a good faith report of illegal discrimination or harassment. As is true for breaches of other Company policies, disregarding this Company policy will result in disciplinary action, up to and including unpaid suspension or termination.

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## **Commitment to Diversity**

Lummus Technology is also committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in company policy and the way we do business at Lummus Technology, and is an important principle of sound business management.

### **C. PROHIBITION OF UNLAWFUL DISCRIMINATION AND HARASSMENT**

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

It is Lummus Technology's policy to provide a work environment free of sexual and other harassment. To that end, harassment of Lummus Technology's employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. Lummus Technology will take all steps necessary to prevent and eliminate unlawful harassment.

**Definition of Unlawful Harassment.** "Unlawful harassment" is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law.

**Definition of Sexual Harassment.** While all forms of harassment are prohibited, special attention should be paid to sexual harassment. "Sexual harassment" is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any individual's employment or as a basis for employment decisions; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

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

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

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

### **Complaint Procedure**

Any employee who believes he or she has been subject to or witnessed illegal discrimination, including sexual or other forms of unlawful harassment, is requested and encouraged to make a complaint. You may complain directly to your immediate supervisor or department manager, your local HR Manager, or Jason Turner, Senior Director Human Resources, 2107 Research Forest Drive, The Woodlands, TX 77380, (281) 368-3333, or any other member of management with whom you feel comfortable bringing such a complaint to, who will report it to HR and Legal. Similarly, if you observe acts of discrimination or harassment toward another employee, you are requested and encouraged to report this to one of the individuals listed above.

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

Retaliation against an individual who has complained about sexual harassment, as well as retaliation against individuals for cooperating with an investigation of a sexual harassment complaint, is unlawful and will not be tolerated at Lummus Technology.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

Conduct in violation of this Policy will be subject to disciplinary action, up to and including termination of employment. To preserve the rights of all employees, any individual who makes an intentionally false or malicious accusation of discrimination, harassment or



retaliation shall be subject to disciplinary action, up to and including termination of employment.

#### **D. IMMIGRATION LAW COMPLIANCE**

The Company is committed to employing only individuals who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or natural origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identify and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Company within the past three years, or if their previous I-9 is no longer retained or valid.

Any Employee whose present verification documentation or immigration status is due to change or expire is required to inform the Human Resources Department three months prior to such event.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Department.

#### **E. DRUG-FREE AND ALCOHOL-FREE WORKPLACE**

It is the policy of Lummus Technology to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with the company.

The unlawful use, possession, purchase, sale, distribution, or being under the influence of any illegal drug and/or the misuse of legal drugs while on company or client premises or while performing services for the company is strictly prohibited. Lummus Technology also prohibits reporting to work or performing services under the influence of alcohol or consuming alcohol while on duty or during work hours. In addition, Lummus Technology prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Company's reputation in the community.

Lummus Technology believes that early recognition and treatment are critical to successful rehabilitation. In addition, identification of possible substance abuse problems in the early stages, and possible referral to appropriate care, also may minimize the business, personal, family, and social disruption associated with substance abuse. Therefore, Lummus Technology strongly encourages employees to seek help voluntarily if they feel they have a problem. The company offers an Employee Assistance Program (EAP), which offers confidential counseling regarding substance abuse. Our EAP program is with OPTUM and their toll-free number is 866-248-4096.

To ensure compliance with this policy, substance abuse screening may be conducted in the following situations:

**Pre-employment:** As required by the company for all prospective employees who receive a conditional offer of employment

**For Cause:** Upon reasonable suspicion that the employee is under the influence of alcohol or drugs that could affect or has adversely affected the employee's job performance.

**Random:** As authorized or required by federal or state law.

Compliance with this policy is a condition of employment. Employees who test positive or who refuse to submit to substance abuse screening will be subject to termination. Notwithstanding any provision herein, this policy will be enforced at all times in accordance with applicable state and local law.

Any employee violating this policy is subject to discipline, up to and including termination, for the first offense. Please see our substance abuse program for additional details.

## **F. WORKPLACE VIOLENCE**

Lummus Technology is committed to providing a safe, violence-free workplace for our employees. It is our policy to prohibit any acts or threats of violence by or against Lummus Technology's employees, clients or visitors on Lummus Technology's premises at any time or while employees are engaged in business with or on behalf of Lummus Technology, on or off Lummus Technology's premises.

Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at company-sponsored functions.

It is Lummus Technology's policy to:

- Endeavor to provide a safe and secure work environment
- Take prompt corrective action, up to and including unpaid suspension or termination, against any employee who engages in any threatening behavior or acts of violence or who uses any obscene, abusive, or harassing language or gestures. Such corrective action may also include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.
- Take appropriate action when dealing with clients, former employees, or visitors to Lummus Technology's facilities who engage in threatening behavior, acts of violence or who use obscene, abusive or harassing language or gestures. Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.

- Prohibit anyone from bringing firearms, other weapons, explosives or hazardous materials onto Lummus Technology's premises.
- The possession of weapons, including firearms, is prohibited on Company premises, except as expressly and specifically permitted by applicable law, subject to all applicable client site rules and regulations. Except where expressly allowed by law, weapons are prohibited in privately owned vehicles parked on company premises. Signage shall be posted and will comply with applicable law.
- The company reserves the right to inspect all belongings of employees on its premises, including packages, briefcases, purses and handbags, and gym bags, on company property. In addition, Lummus Technology may inspect the contents of lockers, storage areas, file cabinets, desks, and work stations at any time and may remove all property and other items that are in violation of Company rules and policies.

Any individual engaging in violence against the company, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

### **Threat Reporting Procedures**

All of our employees bear the responsibility of keeping our work environment free from violence or potential violence. All potentially dangerous situations, including threats, should be reported immediately to the Human Resources Department, or any other member of management, who will notify the Human Resources Department of the situation. Reports of threats and/or violence may be made anonymously through our employee hotline at 855-901-8894. All threats and acts of violence will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this policy.

### **G. PROBLEM RESOLUTION**

There are times when problems arise in the workplace. To help you resolve these problems and to ensure equitable treatment in all matters, Lummus Technology has established problem resolution guidelines. If you are concerned about any action or decision affecting your job, you are encouraged to express your concerns to your immediate manager/supervisor. Experience has demonstrated that most problems can be resolved with a frank discussion of the facts.

If a resolution cannot be achieved with your immediate manager/supervisor, indicate that you wish to bring an appeal to the attention of the next-level of management. Resulting discussions between you, your manager/supervisor, and the next-level of management should result in final settlement of the issue(s).

If a resolution is not attained, you may contact the Human Resources Department directly. Its role is to help you address the problem in an objective manner, to offer suggestions on how you might resolve the problem, to assist directly in the resolution, or to direct you to the individual who can best address the problem. .

## **H. DISCIPLINARY PROCEDURES**

### **Guidelines for Disciplinary Actions**

Lummus Technology is committed to maintaining a work environment that consistently upholds the highest principles of safety, integrity, and performance. To achieve these standards, we employ a progressive disciplinary action approach to address employee conduct and performance issues as they arise.

It is critical that discipline is issued in a fair, consistent, and uniform manner. It is also critical that, absent unusual circumstances, employees are given the opportunity to explain their actions before any decisions are made in regards to what disciplinary measures should be taken.

### **Supervisor Responsibilities**

Supervisors have a special obligation to take affirmative steps to enforce company policies, business practices, standards, processes, and procedures. This obligation includes reporting violations of policies, business practices, standards, processes, or procedures and taking appropriate disciplinary or performance actions when necessary.

The failure of a supervisor to report such matters for investigation and issue appropriate discipline can lead to potential legal and regulatory liability for Lummus Technology.

Human Resources (HR) should be consulted to provide advice and counsel and assist supervisors with investigations and in dealing with these issues to ensure consistency of disciplinary actions.

### **Disciplinary Action Steps**



Counseling may consist of verbal counseling or coaching. Counseling is often the appropriate disciplinary measure for less serious violations or an initial offense. At this stage, the supervisor or manager, or an HR representative, may conduct a coaching session in private with the employee. The supervisor is expected to clearly outline expectations and the steps the employee must take to improve performance or resolve

the issue. The supervisor will complete a written Employee Performance Record form on what was discussed and the date of the counseling session. The supervisor will then forward this form to Human Resources to be filed in the employee's personnel record.

Written disciplinary actions are often appropriate for violations that are more serious. The written disciplinary action is issued to the employee during a disciplinary meeting using the Employee Performance Record form and contains a statement regarding the nature of the violation and a reminder about the possible consequences of future violations. A witness will be included in the disciplinary meeting, preferably an HR representative. If an HR representative is not available, the witness should be another supervisor or manager. The supervisor signs and dates the Employee Performance Record and the employee has the opportunity to include comments in writing. The written reprimand is then forwarded to HR, which will ensure that it is included in the employee's personnel file.

If an issue is not corrected and persists, the supervisor may progress to a second written disciplinary action. At this stage, the supervisor, in collaboration with Human Resources, may also implement a Performance Improvement Plan (PIP). The PIP will outline in detail the required actions an employee must take and the specific goals an employee must meet in order to meet performance expectations. During the PIP, the supervisor will review employee performance/behavior regularly and periodically to determine progress. If the company determines that the employee is not making satisfactory progress at any time during or at the conclusion of the PIP, the PIP may be extended or corrective disciplinary action will be taken up to and including termination of employment.

Lummus Technology reserves the right to accelerate or deviate from the progressive disciplinary action process whenever it deems necessary and appropriate.

## **Terminations**

In some situations it may be necessary to terminate employment. Examples of possible reasons for termination may include violation of company policy, HSE issues, substance abuse, commercial bribery, fraud, harassment, workplace violence, retaliation, or ongoing performance issues that have not sufficiently improved. Termination meetings should be held face-to-face whenever possible. A witness must be present, preferably an HR representative. If an HR representative is not available, the witness should be another supervisor or manager.

### **I. OPEN COMMUNICATIONS**

Effective communication between management and employees serves a vital purpose in providing a good work atmosphere. In addition to human resources services, Lummus Technology provides communications sources such as email notifications, Lummus Technology's Intranet, and postings on official bulletin boards placed in each work location.

Important announcements are posted by the Company from time-to-time on Lummus Technology's bulletin boards placed in each work location, our Intranet, and via email. Such announcements may include: general interest information, changes in policies or practices, approaching holidays, and other messages that affect you. The bulletin boards are for Lummus Technology's business, as explained above, as well as for state and federal notices that we are required to post either on a continuing basis or a specified times throughout the year. Employees are expected to review the company-wide email, the Intranet and bulletin boards periodically and become familiar with the content of all such notices. Failure to review these notices or communications does not mean changes to not apply to employees.

**J. SOLICITATION, DISTRIBUTION, ACCESS TO PREMISES, AND TRESPASS**

In order to maintain an orderly, professional atmosphere at Lummus Technology, as well as to prevent interference with our services, the Company has developed the following policies governing solicitation, distribution, access to the premises and trespass.

**Solicitation and Distribution of Non-Business-Related Material**

Solicitation of and/or distribution to any employee, by another employee, of any material which is not directly related to work or business, may not be done in a way that interferes with your job responsibilities or that of others during working time or in work areas. Employees should not pressure other employees to participate in any solicitation of any kind.

**Trespassing Rule**

Solicitation, distribution of literature or trespassing by non-employees on Company premises is prohibited at all times. Any employee who becomes aware of a violation of this policy should bring it to the attention of the Human Resources Department or any other member of Lummus Technology management.

**K. VISITORS IN THE WORKPLACE**

To help ensure a safe and productive work environment and minimize potential liabilities to the company, Lummus Technology employees must restrict outside visitors to business-related purposes.

Brief social visits (such as from friends and family) are permitted; however, visitors must be escorted and supervised at all times in order to minimize disruption. Failure to follow these guidelines could result in disciplinary action, up to and including termination.



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**L. HEALTH AND SAFETY**

Employees have the duty to comply with the health and safety standards that are established from time to time by Lummus Technology for the protection of employees and to work as safely as possible. Employees are required to report to their manager, HSE, or the Human Resources Department any condition an employee observes to be dangerous or potentially dangerous, including any threats made to the employee, to other employees, or regarding Lummus Technology and Lummus Technology's property.

Visitors of any kind who enter our facilities should sign in at the reception desk and are to be accompanied by an employee of Lummus Technology at all times. Occasionally, a sudden illness or injury may occur. If an employee discovers an injured or seriously ill employee, the employee should not move the individual; instead, the employee should call 911 for an ambulance and inform the 911 operator of the nature of the problem and the address and directions to the facility. Next, the employee should notify a supervisor or a member of the Human Resources Department immediately. The supervisor or Human Resources Department will notify the employee's family or designated party, as well as the receptionist so he or she can instruct emergency personnel where to go on arrival.

**L. COMPANY COMMUNICATIONS AND INFORMATION SYSTEMS POLICIES**

The Company endeavors to employ secure and effective Communication and Information Systems to ensure that its business is conducted as reliably, productively, and securely as possible. Access to these systems is provided as a means of assisting Users in maximizing the performance of their job functions for the Company. The systems are to be used primarily for business-related activities and Users are always expected to use the systems appropriately. Access is permitted only to those parts of our systems which are needed for a User to carry out their job functions. Users of the Company's Communication and Information Systems are expected to comply with the terms of the Company's Information Technology policies. Users who abuse or misuse Communication or Information Systems shall be subject to disciplinary action, up to and including termination of employment. Our IT policies are located on our Intranet under Information Technology.

**IV. ONCE YOU BEGIN EMPLOYMENT****A. EMPLOYMENT CATEGORIES**

Employees of Lummus Technology are classified as full-time, part-time, non-exempt and exempt.

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**1. FULL-TIME EMPLOYEES**

Employees hired to work at Lummus Technology full-time at least 40 hours each work week on a regular basis. Such employees may be “exempt” or “non-exempt” as defined below. Employees who work 30 hours or more per week are entitled to Lummus Technology benefits, subject to eligibility requirements.

**2. PART-TIME EMPLOYEES**

Employees hired to work at Lummus Technology for fewer than 40 hours per week on a regular basis. Such employees may be “exempt” or “non-exempt” as defined below. Hours worked on a part-time basis are not included in any calculation for seniority. Part-time employees who are regularly scheduled to work 30 hours per week are entitled to Lummus Technology benefits, subject to eligibility requirements.

**3. TEMPORARY EMPLOYEES**

Employees engaged to work full-time or part-time on Lummus Technology’s payroll with the understanding that their employment will be terminated either on completion of a specific project or at any other specified time that Lummus Technology, in its sole discretion, determines appropriate. Such employees may be “exempt” or “non-exempt” as defined below. Generally, temporary employees are not entitled to benefits and are employed for less than ninety days.

**4. NON-EXEMPT EMPLOYEES**

Employees who are required to be paid overtime at the rate of time and one-half their regular rate for payable hours worked beyond 40 hours in a work week, in accordance with applicable federal and state wage and hour laws. All overtime must be approved in advance by an employee’s immediate supervisor.

**5. EXEMPT EMPLOYEES**

Employees who are not required to be paid overtime, in accordance with federal and state wage and hour laws, for work performed beyond 40 hours in a work-week.

All questions regarding these classifications should be directed to the Human Resources Department.

NOTE: The terms “exempt” and “non-exempt” apply to the Fair Labor Standards Act (FLSA), which describes whether or not you are eligible for overtime pay. Only “non-exempt” employees are eligible for overtime pay, provided they have prior approval from their manager. The Company intends to pay its exempt employees on a salary basis and will not make deductions from salary that are prohibited under the FLSA. All questions regarding these classifications should be directed to the Human Resources Department,



which has the expertise to define whether jobs should be classified as exempt or non-exempt.

## **B. YOUR JOB DESCRIPTION**

At Lummus Technology, we frequently use written job descriptions to aid in staffing, wage and salary administration, and training. They also help employees and supervisors communicate about job responsibilities. However, job descriptions are not to be viewed as comprehensive, definitive documents; they are only guidelines and can normally be expected to change over time.

From time to time, employees are expected to perform duties and handle responsibilities that are not part of their normal job. If, over time, the new duties and responsibilities remain a regular and significant part of the position responsibilities, it may be appropriate to amend the written job description. The Human Resources Department can assist with this process.

## **C. EMPLOYEE DEVELOPMENT AND TALENT MANAGEMENT**

Employee Development and Talent Management is a top priority for Lummus Technology. Our employees are our greatest asset, and we want to ensure they are challenged and able to succeed. We offer various training platforms from web-based training to lunch and learn technical presentations. We provide a comprehensive engineering training program to our college graduates and encourage mentoring at all levels of the organization. Our compliance, human resources and HSE online training platforms include important information for our employees to learn and are mandatory requirements for the success of our technology business.

From time to time, an employee may be approached by his or her direct supervisor or other members of management to identify an employee's strengths and weaknesses, isolate specific areas in which the employee may require additional training or management assistance and increase the employee's awareness of his or her contribution to the achievement of Lummus Technology goals and objectives. Although your job performance is evaluated on an ongoing basis by your manager, you will normally take part in a formal performance appraisal at least once a year and it will become part of your personnel file. Employee performance appraisals are a valuable tool for both the employee and his/her manager. If you do not receive your formal annual review, please contact your manager.

At Lummus Technology, we encourage the performance appraisal process to be interactive, with preliminary input and information being provided by both the employee and his/her manager. The employee will be required to acknowledge the performance

appraisal, but not required to agree with it. Refusal to acknowledge will be noted. The employee may submit a written response to the performance appraisal.

Lummus Technology considers discussions relating to performance, which may or may not be memorialized in writing, to include personal and sensitive information and therefore such information will be treated with the utmost confidentiality. Lummus Technology expects that all employees will also treat this information in a confidential manner. Performance appraisals do not necessarily result in wage or salary adjustments

#### **D. DRESS AND PERSONAL APPEARANCE**

Lummus Technology's success depends on public confidence in our professionalism. Therefore, employees are expected to maintain a professional business image at all times. Employees at any time may be in personal contact with clients and potential clients so everyone is expected to wear professional business attire appropriate to their position during normal business hours. Employees are expected to refrain from wearing attire that lends itself to presenting an overly provocative or unprofessional image.

However, there may be instances when management may designate a casual day or period of time for casual attire in the office. Appropriate dress for such a day would be defined as "business casual" attire. Of course, please remember that issues such as good grooming, personal hygiene habits, and consideration of the quantity of cologne or perfume worn should also be observed at all times.

Employees who do not comply with the Company's standards of appropriate business attire will be subject to disciplinary action (such as being asked to leave the premises for the day) at management's discretion. An employee's repeated failure to comply with this policy may result in termination of employment.

#### **E. ATTENDANCE AND PUNCTUALITY**

Others depend on your presence at work so you should be conscientious about your attendance. You are expected to be in your work area and ready to begin work at your designated starting time. If you anticipate a delay, you are responsible for phoning your manager well in advance of your scheduled arrival time. If you are absent for three consecutive days without notifying your supervisor, your employment may be terminated.

Lummus Technology also counts on your being at work on a regular basis to carry out the responsibilities of your job. Excessive absences or tardiness subtract from your overall job performance and usually add to the workload of other employees. Therefore, if your manager determines that your absence or tardiness record has become poor or excessive, your situation will be evaluated to determine the appropriate course of corrective/disciplinary action.

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**F. LUNCH PERIODS**

Department work schedules may allow for a lunch period of up to one hour. Managers are responsible for setting lunch schedules. If you are a non-exempt employee, overtime pay rates do not include lunch periods taken. Prior management approval must be obtained before working through all or any part of a lunch period. If you have any questions regarding lunch periods, speak to your manager or contact the Human Resources Department.

**G. YOUR PAYCHECK****DIRECT DEPOSIT**

We require all employees to have their pay automatically deposited into a personal bank account. Once you sign up, this option generally becomes effective a minimum of two weeks after your account number has been verified. Authorization forms are available from the Human Resources Department.

**H. SALARIED EMPLOYEES, PART-TIME EMPLOYEES AND TEMPORARY EMPLOYEES**

All US employees are paid on a bi-weekly basis every other Friday. Each paycheck compensates you to the date indicated on your pay stub. Overtime pay may appear in the following paycheck.

**DEDUCTIONS**

Various payroll deductions are made to comply with applicable federal, state and local law pertaining to such items as tax and insurance. Certain benefits offered by Lummus Technology may require employee contributions which will be deducted from wages with prior authorization from the employees.

The statement attached to your paycheck shows the amount you earned for that pay period. It also itemizes your deductions and taxes and shows the amount of your take-home pay.

**GARNISHMENT**

Lummus Technology must accept an income execution (garnishment) on an employee's wages.

**ERRORS**

Please review your paycheck for accuracy. If you find a mistake, report it to your Human Resources Department who will assist you in taking the necessary steps to correct the error.

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**I. SMOKING POLICY**

Lummus Technology is dedicated to providing a healthy, comfortable and productive work environment. As such, we will make every reasonable effort to protect employees from second-hand smoke, and to uphold the rights of non-smokers, by offering a smoke-free environment. Therefore, our policy prohibits smoking in the workplace or anywhere in the building, at all times.

We recognize that some employees wish to smoke; however, they should not smoke anywhere that may expose a non-smoker to second-hand smoke, and only in areas officially designated by Lummus Technology and/or building management as “smoking permitted.” Employees in violation of this policy will be subject to appropriate disciplinary action.

This policy applies to all employees, vendors, clients, and general visitors when they are at any Lummus Technology location.

Our Employee Assistance Program offers a program to assist or refer employees to a smoking cessation program, if desired.

**J. EMPLOYMENT OF RELATIVES**

Although Lummus Technology has no general prohibition against hiring relatives, we have established a few restrictions to help minimize issues of safety, security, supervision, and morale.

While we will accept and consider applications for employment from relatives, such relationships will not guarantee employment and/or promotion within our Company. In addition, close family members such as parents, grandparents, children, spouses, brothers, sisters, or in-laws generally will not be hired or transferred into positions where they directly or indirectly supervise or are supervised by another close family member.

Further, such relatives generally will not be placed in positions where they work with or have access to sensitive information regarding a close family member, or if there is an actual, apparent, or perceived conflict of interest.

**K. JOB POSTING AND EMPLOYEE REFERRAL PROGRAM**

The Company’s job posting system is designed to keep you informed of certain job openings and to provide you with advancement opportunities. In general, job vacancies will be posted on the Company’s Intranet and Website. Typically, postings will generally include title, minimum hiring specifications and the essential functions of the job. In certain instances, as determined by Lummus Technology in its sole discretion, certain positions may not be posted and nothing in this policy shall be deemed to obligate Lummus Technology to post all positions.

To be considered for a posted position, you must have completed a minimum of one year of service and meet the job requirements indicated on the posting notice. You must also notify your immediate supervisor that you are interested in applying for the posted position before you apply. Your overall job performance will also be taken into consideration when determining eligibility for a posted position.

Lummus Technology endeavors to provide the most capable and experienced employees into each new job opening based on a demonstrated ability to assume greater responsibility. Lummus Technology may, however, choose to recruit and hire from outside Lummus Technology to attract the most qualified individual for a particular position. Although Lummus Technology will consider existing employees for promotional opportunities as they arise, nothing in this policy obligates Lummus Technology to hire from its own workforce or otherwise assure that existing staff will be promoted or transferred to fill vacancies.

Lummus Technology values employee referrals from our employees and as such, offers an employee referral for specific positions that are highlighted under our employee referral policy. For more information, please contact your human resources representative.

#### **L. CONFIDENTIAL MATERIAL**

Employees are responsible for the integrity and protection from unauthorized disclosure of confidential information. Confidential information may, without limitation, include any information concerning Lummus Technology's decisions, operations, data, procedures, plans, earnings, income, financial or business forecasts, proposed acquisitions, client, prospect or vendor lists, all client or vendor records and other information, processes, technologies, methods, and the like. Both during your employment and afterward you leave Lummus Technology, confidential information may not be disclosed to other employees who do not require such information in furtherance of their duties to Lummus Technology or to persons or businesses outside of Lummus Technology, such as friends, immediate family members, other relatives, clients, vendors or competitors. Additionally, from time to time, some employees may have access to material non-public information regarding publicly traded companies. Employees are forbidden from sharing or trading on such information. All employees will be expected to sign confidential agreements and to adhere to the terms of Lummus Technology's compliance policies. You must protect Lummus Technology's and its clients' confidential and business information and make efforts to handle it carefully during the business day as well as securing it appropriately at the end of the business day. Upon termination of employment, the employee shall return to Lummus Technology all property then in the employee's possession or custody and belonging to Lummus Technology or any client, including any confidential information. Employees may not retain any copies or reproductions of correspondence, memoranda,

reports, projections, notes, financial information or other documents relating in any way to the affairs of Lummus Technology or its clients, other than publicly filed document.

From time to time, employees may communicate with inside or outside counsel of the Company regarding pending or threatened litigations or arbitrations against the Company. The substance of all such conversations is privileged, and this privilege belongs to the Company, not to any individual employee. Employees are forbidden from disclosing the substance of any privileged communication except in furtherance of the Company's interests.

Breach of such confidentiality will result in disciplinary action up to and including unpaid suspension or termination, and possible criminal charges. Any time you are uncertain as to whether you may divulge information or answer questions, refer the matter to your manager. As a condition of employment, all employees are required to sign and adhere to Lummus Technology's Employee Invention and Confidential Information Agreement.

#### **M. ACCEPTING/GIVING OF GIFTS**

To build goodwill with potential and existing clients and other business partners, exchanging gifts and entertainment as business courtesies is accepted business practice. However, we must be cautious when exchanging business courtesies to avoid a conflict of interest or the appearance of one.

You must not give or receive gifts of any value under circumstances that are unlawful or might otherwise appear to be an attempt to improperly influence a decision that affects the Company. In the context of a business relationship the giving or receiving of gifts or entertainment is acceptable within the limits and conditions defined in the Company's Gifts and Entertainment Standards.

You may offer or receive gifts and entertainment commonly accepted as business courtesies, provided they are of nominal value and will not inspire favoritism or a sense of obligation to provide something in return.

Meals and entertainment must be reasonable, must be for a business purpose, and must not be so frequent that they suggest a pattern.

If you receive a gift exceeding the parameters set within the Company standards, you are required to seek approval or, if necessary you should return it with a note explaining the Company standards.

Finally, because there are special rules and restrictions regarding government officials, we cannot overstate the need for you to consult with your local Compliance Manager, Corporate Compliance Officer, or Corporate Legal Counsel when you have any doubt about matters of gifts and entertainment. Additional information can be found in the Lummus Technology Code of Conduct.

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**N. PUBLIC RELATIONS/MEDIA**

It is imperative that Lummus Technology be represented to the media in an articulate, informed and consistent manner. Any inquiries from the media or representatives from the press must be directed to the Marketing and Communications Department. All other media inquiries or request for information or interviews should be directed to the Manager of Marketing.

**O. TRAVEL POLICY****Purpose**

The purpose of this policy is to outline a standardized business travel process and ensure Lummus Technology's resources are being used effectively and economically.

**Scope**

As used in this policy, "Lummus" shall mean Lummus Technology and its affiliated legal entities. This policy applies to all employees and business partners whose travel is paid for by Lummus.

**Alternatives to Travel**

Before planning a business trip, determine if there is a way to meet your objectives without traveling. Today's technologies enable collaboration at a significantly lower cost and with less time away from home and work. Travel is expensive and takes a toll on work and family effectiveness – leverage technology and the Internet as much as possible to meet your business needs. These technologies include:

- Video-conferencing
- Audio-conferencing
- Virtual Meetings (e.g. WebEx/Skype Meetings)

Employees should consider and use the above technologies as often as possible to help control costs in lieu of travel.

**Reasonableness**

When travel is required, make travel decisions that meet the needs of the business and achieve the optimal cost consistent with the safety and well-being of the traveling employee(s).

While business travel is an integral part of our business activities and relationship management with our customers, both the company and the employees may be expected to exercise reasonableness in how money is spent. Employees who need to travel may expect do so safely and without jeopardizing their professional performance.



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Likewise, the company shall not be expected to pay for costs that can be avoided, or for items or services that are immoderate or not really required for the travel purpose.

**Approvals**

Business travel can only be booked after approval by the respective Business Unit Head or Local Managing Director/Executive or a Lummus Executive Team Member or Operations Support (per the DOA).

**Advanced Purchase**

When possible, business travel bookings shall be made no fewer than 14 days in advance of departure. This will help ensure that best prices are obtained and will save the company money. If travel is booked with less than 14 days advance notice, employee must provide specific details as to why the travel was not booked in advance.

**Travel Arrangements**

All business travel, including airline tickets, en route changes, hotels and rental cars are required to be booked by your department assistant who will use Lummus' authorized travel agency, [AMEX Travel], or the designated online tool [Concur]. Preferred vendors shall be used when available to benefit from pre-negotiated lower rates. Travel should be booked based on best itinerary that supports the business needs for the travel and best travel cost.

Traveler safety and security is of the utmost importance to Lummus. Travel booked through our approved company's systems generates an itinerary for each traveler and helps Lummus to locate employees in the event of an emergency.



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**Airline Frequent Flyer Programs/Clubs**

The company will not reimburse airline club membership costs. Participation in these programs shall not influence flight selection which results in additional cost to the company beyond lowest logical fare. Frequent flyer miles / points belong to the traveler.

**Reimbursable Air Travel**

For travel arrangements that are billable to a client or a project, employees are allowed to book the class of air travel as determined by the respective agreement in place. In case the respective agreement does not specify travel class, the section "Company-Paid Air Travel" generally applies.

**Company-Paid, Non-Billable Air Travel**International

For international flights lasting eight (8) hours or longer (shortest logical route in-air flight time), business class travel is approved.

In certain circumstances, an employee may need to fly a red-eye flight to attend a same day meeting, in these cases, for flights lasting six (6) hours or longer (shortest logical route in-air flight time), business class is approved.

\*For international trips to various locations, where connecting flights in the destination country are difficult (Russia, China, etc.), business class tickets will be approved with prior approvals.

Domestic

All domestic travel (i.e. within USA, India, EU, Russia, GCC or China) will be economy class only.

Employees may use loyalty or mileage points to upgrade class of air travel for any flight, except when ineligible.

Baggage Fees

Reasonable checked baggage fees will be reimbursed.

Excess or overweight baggage fees are not reimbursable, unless there are special circumstances present. Claims must be documented in writing and submitted with the expense claim form.

Airport Parking

The most economical choice for airport parking is required. When available, long-term parking should be used for trips in excess of 24 hours.

Ground Transportation at Destination and to/from Airport at Point of Origin (if not parking car at airport)

Lummus requires employees to use Uber, Lyft and ride-sharing when traveling. In locations where using Uber, Lyft, or ride-sharing doesn't make sense or is considered unsafe, employees may use local transportation provided by the office or rental car. Use of a rental car is discouraged and should only be mostly in a traveler's home region (i.e., US, Europe) and not in unfamiliar locations. Car rental reservation must be made via Lummus' travel agent.

At Point of Origin, use of town cars and other similar services for transportation to/from the airport need pre-approvals with explanation of why the employee doesn't feel they can drive their own car and leave at the airport parking or use Uber, Lyft or a similar ridesharing service.

Employees may travel by train for business purposes. Train travel will be in coach class except in China, Russia and India where business class travel is permitted. In other countries business travel will only be permitted with prior approval for special circumstances such as traveling with client representatives.

#### Lodging/Accommodation

Employees should stay only at Lummus approved hotels when they travel. An exception would be when attending a meeting or conference in a specific hotel or when the approved hotel is a significant inconvenience. For exceptions, care must be made to stay in safe hotels at a reasonable price.

#### Meals and Incidentals

Receipts are required for meals and incidentals over USD\$25.00\*. Reasonable and justifiable expenses incurred for meals and gratuities during business travel are reimbursable. Cash-based gratuities are to the account of the employee and will not be reimbursed by Lummus.

Reasonable expenses for alcoholic beverages purchased with a meal or immediately prior to a meal will be reimbursed. Excessive consumption of alcoholic beverages including excessive mini-bar expenses will not be reimbursed by Lummus.

\*Each office location may have a somewhat specific approach as required by local practices and laws when it comes to meals and incidental reimbursement. Employees will be provided with instructions in these locations that deviate from the requirement for receipts for meals and incidentals.

#### Exceptions

An exception for upgrade on international air travel may be provided by the President of Lummus Technology in certain cases. This exception must be obtained in writing before

the respective travel booking and will be reviewed and discontinued at the discretion of the President.

A medical exception may be obtained by issuance of a doctor's note showing a medical need. Medical exceptions will be submitted to Human Resources and will be periodically reviewed.

## **PROCEDURES**

Lummus reserves the right to use its discretion in applying this policy under special or unique circumstances.

Lummus also reserves the right to amend or discontinue this policy at any time with or without prior notice.

### **P. BENEFITS OVERVIEW**

The Company has established a variety of employee benefit programs designed to help employees and their eligible dependents with group insurance, dental, life insurance, flexible spending, workers' compensation, savings & investment and employee assistance program.

The benefits enrollment guide is a separate document that will give you a general overview of each of these employee benefits. Complete details of the Company's plans are contained in official plan documents, such as insurance contracts and master plan documents. If there is any contradiction between the information appearing in the benefits enrollment guide, the SPDs, and the information which appears in these official plan documents, the official plan documents will govern in all cases. The Company anticipates continuing to make available to its employee benefits described in these documents. However, the Company reserves the right to amend or terminate these benefits at any time. The level of employee contribution to benefits costs is also subject to change in the Company's discretion. The existence of these employee benefits and plans, in and of themselves, does not signify that an employee will be employed for the requisite time necessary to qualify for these benefits and plans.

Lummus Technology also carries insurance to cover the cost of work-related injury or illness. Workers' Compensation Insurance helps pay for your medical treatment and part of any income you may lose while recovering. Specific benefits are prescribed by law depending on the circumstances of each case. To be assured of maximum coverage, work-related accidents must be reported immediately to both your Supervisor and our Benefits Manager.

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## **Q. EDUCATIONAL ASSISTANCE PROGRAM**

To encourage and enhance your growth and learning potential, as well as your job performance, the Company has established an Educational Assistance Program. The Educational Assistance Program enables employees to continue the expansion of their knowledge and skills while working.

The Educational Assistance Program is available to all salaried, regular, full-time employees. It is intended to further employee education at recognized and accredited institutions, in areas of study which will benefit both the individual and the Company. When traditional classroom training is not readily available or feasible, correspondence courses or technology-mediated courses from approved and accredited institutions may be used.

### **Courses**

Courses taken under the Educational Assistance Program must be directly related to the present duties of the employee, or to duties likely to be assigned in the future.

Also included under the Educational Assistance Program are:

- Professional review courses and exams (i.e., Professional Engineering License, CPA, etc.)
- Courses required to complete a Company-approved degree program, certification program or vocational program.

Employees who are considering enrollment in the Educational Assistance Program shall discuss their choice of course(s) and/or education Educational Assistance Program with their supervisor and their local Human Resources representative to assure that the course(s) or education Educational Assistance Program is directly related to the employee's currently assigned duties, or to duties likely to be assigned in the future. Employees must also ensure that they possess the required prerequisites for the course(s) and the necessary qualifications for completing the course(s). The employee's supervisor/manager must complete an Educational Assistance Program - Business Case form and submit it to their local human resources representative for approval. It is also required that an Individual Development Plan is completed. After the Business Case Form is approved, then the employee should follow the Educational Reimbursement Instructions for reimbursement.

### **Costs & Reimbursements**

To ensure reimbursement under the Educational Assistance Program, an application must be approved by the employee's supervisor, business head, and the local Human Resources Manager prior to enrollment in any course(s).

The cost of tuition and other instructional fees (e.g., registration fees, laboratory fees, etc.) will be reimbursed to the employee upon submission of evidence indicating the successful completion of a previously approved course. This reimbursement shall not exceed \$5,250.00 of costs incurred during the calendar year. Employees receiving assistance from other sources (e.g. scholarships, etc.) will receive a tuition refund only to the extent that their costs exceed the allowances from these other sources and the excess cost does not exceed the \$5,250.00 limit otherwise refundable under the Educational Assistance Program.

Any taxes incurred by the employee as a result of refunds granted under the Educational Assistance Program are the responsibility of the employee and will not be reimbursed by the Company.

Reimbursement will be made for each course completed with a passing grade of "C" or better. In no case shall reimbursement be made for a grade of "D" (including D+) or "F". Reimbursement will be made for grades of "Pass" in those courses where Pass or Fail grades are given.

Any employee who voluntarily drops a course or otherwise fails to complete the course satisfactorily shall not be eligible for a refund of the cost of the course unless the withdrawal or failure is due to the employee's participation in a required military leave, or is initiated at the Company's request.

The employee is responsible for paying all tuition, fees, or other mandatory charges directly to the educational institution. Cash advances will not be made by the Company for payment of tuition, fees, or other charges. Employees shall arrange their classes so as not to interfere with their work schedules or functions.

Travel time to and from school under the Educational Assistance Program is considered to be outside the regular course of employment and, therefore, is not covered by Worker's Compensation, Travel Accident Insurance, or other Company liability insurance, unless otherwise stated in the respective summary Educational Assistance Program description.

Funding for education refunds shall be budgeted and paid from the cost center that is responsible for the employee's payroll. Please note that this program is offered as an additional perk to our employees and is not an entitlement, and that it is important for employees to speak to their manager about participating in this program. Managers will need to ensure they have budgeted for these expenses as part of their annual budget forecast.

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**Educational Assistance Program Administration**

The Human Resources Department shall be responsible for the overall administration of the Educational Assistance Program for their employees which includes the following.

- Inform the employees of the Educational Assistance Program and explain its benefits and obligations.
- Advise employees in the selection of appropriate subjects and programs.
- Ensure that selected course satisfies accreditation requirement.
- Maintain adequate records of enrollments and refunds, including placing a copy of application and repayment form, in the employee's personnel file.
- Evaluate and approve/reject requests for enrollment (in conjunction with the employee's supervisor).
- Authorize disbursement of funds through accounts payable upon presentation of evidence of satisfactory completion of course(s) (transcript) and receipts for other approved expenses.

The following forms must be completed to receive educational assistance and are available from your local human resources representative:

- Educational Assistance Program Business Case Form
- Individual Development Plan
- Educational Assistance Program Application/Reimbursement Form

**V. TIME OFF****A. HOLIDAYS**

If you are a full time employee who is regularly schedule to work 40 hours a week, you are granted paid holidays, provided the holiday falls on a regularly scheduled workday. Lummus Technology follows the following holiday schedule for 2020:

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

## B. VACATION

Lummus Technology believes that employees will benefit from taking time away from the working environment for mental and physical rest and relaxation. Therefore, Lummus Technology grants all eligible employees time off from work.

Whenever possible, vacation should be scheduled well in advance. It is subject to supervisory approval, department staffing needs and established departmental procedures. Vacation time must be scheduled in increments of at least ½ day.

### **Eligibility**

This procedure applies to all U.S. direct exempt and non-exempt employees of Lummus Technology who work a regular schedule of 30 hours each week or more.

### **Vacation Allotment**

The calendar year vacation benefit is based on length of service with the Company, except for some members of management as defined in this policy. We encourage employees to take all accrued vacation time each year, but employees may carry over 40 hours each year if necessary. The vacation allotment for new hires will be evaluated, and it is the company's discretion to determine what is offered based on relevant industry experience. Effective January 1, 2021, the Executive Team (President, CFO, CCO, CLO and CTO), the VP of R&D, Business Unit Heads (Ethylene, Petrochemicals, Hydrogen, Sulfur, Refining, CLG, and Lummus Consultants), and Functional Heads (Employee Support, Operations, and Investor Relations/M&A) will no longer accrue vacation on an annual basis. These roles will be provided specific instructions on time charging practices.

### **Vacation Schedule**

	Annual Days	Annual Hours	Hours Earned Each Month
New Hires through 4 Years	10	80	6.67
5 through 9 Years	15	120	10
10 through 24 Years	20	160	13.33
Over 25 Years	25	200	16.67

### **New Hires**

Newly hired employees will be entitled to receive a pro rata amount of vacation for the time worked between their hire date and December 31<sup>st</sup> of the first year of employment. A half month calculation will be used to determine the first month; for



example, if an employee starts work on or before the 15<sup>th</sup> of any month then they will receive the full months' vacation amount, if they start after the 15<sup>th</sup> then they will receive one half of a month's allowance.

After completion of the first calendar year, the full entitlement, based on the vacation schedule above, vacation time is available beginning January 1<sup>st</sup> and earned each month thereafter. Employees whose anniversary date falls in the fifth or tenth year of service will be eligible for their respective number of vacation hours beginning on January 1<sup>st</sup> of their anniversary year but earned each month thereafter. For employees hired via an exception with more than 2 weeks vacation allotment, additional vacation time will apply once you earn the next milestone of service at Lummus Technology. For example, if you were hired with 15 days of vacation, you receive 20 days of vacation when you reach your 10<sup>th</sup> year with Lummus, you will be eligible for 25 days when you reach your 25<sup>th</sup> year with Lummus Technology.

### **Rehires**

Employees rehired with the company after July 1, 2020 who have previous Lummus Technology service, will have previous service time counted to determine vacation benefit eligibility.

### **Vacation Carry Over**

All employees will be allowed to carry over a maximum of forty (40) hours of vacation into the next calendar year. The carried over vacation will be in addition to the employee's regular vacation hours and must be taken by the end of the year in which they carried it over into. Carry over vacation not taken by will be forfeited.

### **Terminations**

Employees who are voluntarily or involuntarily terminating from the Company will be paid for unused, earned vacation up through their termination date. If vacation already taken exceeds vacation earned at the time of termination, this difference will be deducted from the employee's final paycheck. A half month calculation will be used to determine the amount due for the last month; for example, if an employee's last day of work is on or before the 15<sup>th</sup> of any month then they will receive half of the months' vacation amount, if their last day of work is after the 15<sup>th</sup> then they will receive the full month's allowance.

Unused/Earned vacation may not be used to extend an employee's termination date. Termination date will be the last day worked with any earned vacation benefit paid out as a lump sum. Vacation carry over earned, but not taken will also be paid out as a lump sum.



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### **Vacation Donation Program**

If an employee has a personal hardship or health condition and requires additional time off because they have exhausted all sick and vacation time and failed to elect short term disability coverage, employees may receive donated vacation time from other employees. Please contact your human resources representative for additional information for these situations.

### **LUMMUS TECHNOLOGY VACATION PURCHASE PLAN (US)**

The Vacation Purchase Program (hereinafter “Program”) is offered as part of the menu of benefit options under the Lummus Technology Cafeteria Plan (the “Plan”). Under the Program, employees can purchase additional vacation days on a pre-tax basis and spread the cost of doing so over the payroll calendar year. Lummus Technology (the “Company”) reserves the right to amend or terminate the Program at any time and for any reason.

#### **Eligibility**

All salaried based full time employees working in the U.S. who work at least forty hours per week and are paid via the U.S. payroll.

#### **Enrollment**

Enrollment in the Program is completely voluntary. Once enrolled, the employee must generally continue participation in the Program until the end of the calendar year, unless the employee is terminated, goes out on unpaid LOA or transfers to an ineligible employee classification.

If you do not enroll when first eligible as a newly hired employee or during the Annual Enrollment Period (as further described below), or if you lose eligibility (for whatever reason) during the calendar year, you may not later enroll/re-enroll in the Program during the calendar year, even if you have a Permitted Change Event (as defined under the Plan).

#### **Annual Enrollment Period**

Open enrollment is held once a year during the Annual Enrollment Period (which is typically held in October or November of each year and communicated to all employees). Employees must enroll each year and elect the number of vacation days they purchase for the following calendar year. An employee’s election during the Annual Enrollment Period will be effective January 1 of the following calendar year.

#### **New Employees**

New employees who are eligible to participate may enroll in the Program within thirty (30) days of their date of hire. If a new employee timely enrolls in the Program, his/her election will be effective as of the first payroll period (or as soon as administratively

possible) following the date the Company receives the properly completed election form. If a new employee does not enroll in the Program within thirty (30) days of their date of hire, the employee must wait until the next Annual Enrollment Period to enroll in the Program even if he/she experiences a Permitted Change Event (as defined under Plan).

### **Existing Employees**

Employees who are eligible to participate may enroll during the Annual Enrollment Period for participation in the following calendar year. An employee's election during the Annual Enrollment Period will be effective January 1 of the following calendar year.

### **Vacation Purchase Program Benefits**

#### Benefits Provided

An employee may purchase a minimum of 1 day (equal to 8 hours) up to a maximum of 10 days/80 hours of vacation time each calendar year. The amount of vacation purchased is in addition to the vacation days an employee is eligible to receive pursuant to Lummus Technology's regular vacation policy. Vacation days purchased under the Program are paid for through pre-tax payroll deductions taken equally from an employee's paychecks throughout the calendar year.

#### Use of Purchased Vacation Days/Recording in Time System

If an employee enrolls in the Program within thirty (30) days of date of hire, vacation days elected for purchase will become available to the employee at any time after receipt of the properly completed election form. Each calendar year thereafter, if the employee elects to purchase vacation days during the Annual Enrollment Period, vacation days elected for purchase will become available as of January 1 of the following calendar year. The use of all vacation days, including purchased days under this Program, requires the prior approval of the employee's supervisor and must be otherwise taken in accordance with Lummus Technology's vacation policies. Employees who are using purchased vacation days will be paid at their current salary during such vacation. Use of all purchased vacation days must be recorded on an employee's timecard or such other system used by the Company for tracking employee hours.

Employees are not permitted to take fractional days of purchased vacation. Therefore, usage must be recorded in whole day increments.

#### Unused Purchased Vacation Time

No reimbursements will be provided for purchased but unused purchased vacation days. All employees will be allowed to carry over a maximum of forty (40) hours of vacation into the next calendar year. This forty (40) hours of vacation may include purchased vacation time. The carried over vacation will be in addition to the employee's regular vacation hours and must be taken by the end of the year in which they carried it over into. Carry over vacation not taken by will be forfeited.

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### Determining the Cost of Purchased Vacation Time

The cost of purchasing vacation days under the Program should not change after initial enrollment except, for example, if an employee changes from a 40 hour weekly work schedule to a 30 hour weekly work schedule. In such cases, the Company will continue to withhold at the same calculated rate based on the salary as of the effective date of enrollment. Your Human Resources Business Partner can assist you with calculating the cost of purchasing additional vacation days.

### Transfers between Eligible and Ineligible Status

If an employee transfers from ineligible to eligible status during the course of a calendar year, the employee will not be able to enroll in the Program until the next Annual Enrollment Period following the effective date of the transfer. The following example illustrates the effect of a transfer from ineligible to eligible status:

*Example #1: Jane, a foreign employee working in the U.S. on a temporary assignment, is transferred to a permanent assignment in the U.S. working thirty or more hours per week. Although Jane is eligible to participate after the transfer to the permanent assignment in the U.S., she may not enroll in the Program until the next Annual Enrollment Period following the date of the transfer.*

*If a participating employee transfers from eligible to ineligible status during the course of a calendar year (e.g., due to an unpaid leave of absence) his or her participation in the Program will end. Once the employee becomes ineligible for participation, pre-tax payroll deductions will cease immediately. The employee will, however, be permitted to use any unused full vacation days purchased during the time they were eligible for participation in the Program. The employee will be paid taxable wages reimbursed for any fractional purchased vacation days remaining. Any amounts reimbursed to the employee will be subject to taxes. If the employee returns to eligible status during the same calendar year, the employee will not be allowed to re-enroll in the Program until the next Annual Enrollment Period. The following example illustrates the effect of a transfer from eligible to ineligible status:*

*Example #2: Joe is a full-time employee who enrolls in the Program during the Annual Enrollment Period and elects to purchase 3 vacation days for the 2021 calendar year. In July 1, 2021, Joe goes on unpaid LOA. As of July 1, Joe's salary reductions have paid for 1½ vacation days.*

*Since Joe is on unpaid LOA, he is no longer eligible to participate in the Program. Accordingly, his salary reductions will cease as of the payroll period immediately following the date he goes on unpaid LOA. Assuming Joe does not use any of his purchased vacation days prior to going on unpaid LOA, he will be paid at his regular salary or wage rate for one of his vacation days while on unpaid LOA.*

*Since employees are not allowed to take fractions of a purchased vacation day off under the Program, Joe will be reimbursed for the half day that he purchased. If Joe later returns to full-time employment during the same year, Joe will not be allowed to reenroll in the Program until the next Annual Enrollment Period.*

#### Termination of Coverage

Program benefits will cease on an employee's date of termination. Upon termination of employment, an employee's final paycheck will be adjusted as follows:

1) Days Purchased But Not Used

Employees will be reimbursed for any days purchased but not used in their final paycheck based on the rate at which the days were purchased. Any amounts reimbursed to employees will be taxable (since the initial withholding was pre-tax).

2) Days Used But Not Yet Paid For/Purchased

Employees, who have used days in excess of amounts paid for, will be required to reimburse the Company via a deduction from their final paycheck. This amount will be based on the same rate at which the vacation days were scheduled to be purchased.

3) Miscellaneous

This Program is unfunded and is therefore not subject to the Employee Retirement Income Security Act of 1974 ("ERISA").

Interpretation or clarification of this procedure should be directed to the Human Resources Department.

### **C. SICK TIME**

All employees are eligible for up to a maximum of 40 hours of sick leave per calendar year or January 1 – December 31. In order to comply with New Jersey and Massachusetts state requirements, we will use the advanced/front-load method going forward so that you will be provided with the maximum 40 hours of sick leave up front at the beginning of the year; the accrual method will no longer be utilized. Earned Sick Leave is to be taken in no less than 1-hour increments. You cannot carry over any sick hours to the next calendar year. Based on these state laws, we will also be using the following guidelines.

You may use earned sick leave when:

- You need diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition or you need preventive medical care.
- You need to care for a family member during diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or your family member needs preventive medical care.

- You or a family member have been the victim of domestic violence or sexual violence and need time for treatment, counseling, or to prepare for legal proceedings.
- You need to attend school-related conferences, meetings, or events regarding your child's education; or to attend a school related meeting regarding your child's health.
- Your employer's business closes due to a public health emergency or you need to care for a child whose school or child care provider closed due to a public health emergency.

When the need for earned sick leave is foreseeable, notice to your direct supervisor (or their designate) about the need to take earned sick leave should be provided up to 7 days in advance of the start of taking earned sick leave. In those instances when taking earned sick leave is not foreseeable, please provide notice to your direct supervisor (or their designate) as early as possible. If using earned sick leave for four or more consecutive work days, a signed doctor's note should be provided.

The following individuals are recognized as "family members":

- Child (biological, adopted, or foster child; stepchild; legal ward; child of a domestic partner or civil union partner)
- Grandchild
- Sibling
- Spouse
- Domestic partner or civil union partner
- Parent
- Grandparent
- Spouse, domestic partner, or civil union partner of an employee's parent or grandparent
- Sibling of an employee's spouse, domestic partner, or civil union partner
- Any other individual related by blood to the employee
- Any individual whose close association with the employee is the equivalent of family

You have the right to be free from retaliation for:

- Requesting and using earned sick leave
- Filing a complaint for alleged violations of the law
- Communicating with any person, including co-workers, about any violation of the law
- Participating in an investigation regarding an alleged violation of the law, and
- Informing another person of that person's potential rights under the law

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## **D. FAMILY AND MEDICAL LEAVE**

### **GENERAL**

Under certain circumstances set forth in detail below, employees may take a leave of absence under the federal Family and Medical Leave Act (FMLA). In order to be eligible for FMLA leave, the employee must have been employed by Lummus Technology for at least 12 months and for at least 1,250 hours during the preceding 12 months.

### **REASONS FOR AND LENGTH OF LEAVE**

Under the Family and Medical Leave Act, eligible employees are entitled to take a maximum of a twelve week period in a rolling twelve month period (measured backward from the date any FMLA leave is taken), for the following reasons:

- the birth of the employee's child and in order to care for the child;
- the placement of a child with the employee for adoption or foster care;
- the care of a child, spouse or parent who has a serious health condition(s) or
- a serious health condition that renders the employee incapable of performing the functions of his or her job

### **REINSTATEMENT RIGHTS**

Upon return from FMLA, eligible employees are entitled to be reinstated to their former position or an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. Exceptions to this provision may apply if business circumstances have changed (e.g. if the employee's position is no longer available due to a job elimination). A determination as to whether a position is an "equivalent position" will be made to Lummus Technology. Exceptions may also apply for certain highly compensated employees under certain conditions.

### **STATE LAW**

In some cases, state law provides greater or additional benefits than those provided under the Family and Medical Leave Act. Under FMLA, Lummus Technology is required to give the employee the maximum benefit allowed under both federal and state law. These benefits are more fully explained at the end of this policy.

### **APPLICATION FOR LEAVE**

An employee requesting FMLA leave must complete an application for Family and Medical Leave and return it to the Human Resources Department. The completed application must state the reason for the leave, the duration of the leave, and the starting and ending dates off the leave.

### **NOTICE OF LEAVE**

The employee must make a formal request to take an FMLA leave at least 30 days prior to the date on which he/she expects the leave to commence (unless emergency circumstances warrant a shorter period of time), and the employee must attempt to



schedule his or her leave in a way as to minimize the disruption to the department. Notice of leave must be provided in writing to both the employee's immediate manager and the Human Resources Department.

**MEDICAL CERTIFICATION OF LEAVE**

A "Medical Certification Statement" will be required when an employee applies for leave based on the serious health condition of the employee's spouse, child or parent. In the certification, the physician will be asked to attest to the nature of the serious health condition, the duration of the leave, and the starting and ending dates of the leave. Employees may also be required to provide additional physician statements at Lummus Technology's request at reasonable intervals. Further, the employee or his/her family member may be required to submit to a medical examination by a physician designated by Lummus Technology's at Lummus Technology's expense.

**BENEFITS COVERAGE DURING LEAVE**

During a period of family or medical leave, an employee will be retained on Lummus Technology's health plan under the same conditions that applied before leave commenced. To continue health coverage, the employee must continue to make any contributions that he or she made to the plan before taking leave. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. Arrangements for the payment of premiums will be discussed with the employee prior to the leave whenever possible. If the leave is unforeseen, the employee will be notified of the payment arrangements as soon as possible.

An employee is not entitled to the accrual of any seniority or employment benefits that would have accrued if not for the taking of leave. An employee who takes family or medical leave will not lose any seniority or employment benefits that accrued before the date leave began.

**RETURN FROM LEAVE**

An employee must submit a doctor's note that states the employee is able to return to work from medical leave before he or she can return to the work place and active status. If an employee wishes to return to work prior to the expiration of a family or medical leave of absence, the employee should make every attempt to notify the employee's manager at least five working days prior to the employee's planned return.

**FAILURE TO RETURN FROM LEAVE**

Lummus Technology does not promise reinstatement of employment to those employees who exceed the permitted period of leave provided under applicable federal and state law. An employee who fails to return to work upon the expiration of a family or medical leave of absence may be considered to have resigned from employment. An employee who requests and extension of family leave or medical leave due to the continuation, recurrence or onset of his or her own serious health condition, or of the serious health condition of the employee's spouse, child or parent, should submit a request for an

extension, in writing, to the employee's immediate manager and the Human Resources Department. This written request should be made as soon as the employee realizes that he or she will not be able to return at the expiration of the leave period. Lummus Technology reserves the right to determine in its sole and absolute discretion whether or not to grant the employee's request for additional leave time.

#### **E. FAMILY LEAVE IN INDIVIDUAL STATES**

In addition to the federal Family and Medical Leave Act (FMLA), some states have a Family Leave Act as well. Please see your local Human Resources Department for any individual state family leaves that you may be eligible to apply for.

#### **F. PARENTAL LEAVE**

Parental Leave provides eligible employees with paid leave associated with the birth, care and well-being of an employee's own child or the care and well-being of their adopted child or foster child.

##### **ELIGIBILITY**

Full-time, U.S.A. based, salaried employees working 30 or more hours per week are eligible for Paid Parental Leave after 180 days of service ("Eligible Employee"). Temporary employees or employees working less than 30 hours per week are not eligible for Paid Parental Leave. The Company will abide by any state or local laws or regulations on Parental Leave.

##### **BENEFITS AND PLAN DETAILS**

Paid Parental Leave is available to a) Eligible Employees who have given birth to a child to allow for medical recovery from childbirth and b) Eligible Employees considered a Primary Caregiver for the purpose of caring and bonding with a child (from birth, adoption or foster).

Benefit for medical recovery from childbirth – Eligible Employee shall receive up to ten (10) weeks paid leave at 100% of base salary. The paid leave entitlement commences on the day of birth of a child.

Benefit for purpose of caring and bonding with a child (from birth, adoption or foster) – Eligible Employee shall receive up to two (2) weeks of paid leave at 100% of base salary and must be taken within the first six (6) months of the birth or adoption of the child. Foster care placement can be taken throughout the year.

The maximum benefit of Parental Leave, as applicable, shall be twelve (12) weeks per calendar year. Additional or supplemental leave may be taken pursuant to separate available statutory leave and/or Company leave policies.



Health insurance benefits will continue to be provided during the Paid Parental Leave under this Procedure at the same rate as in effect before the leave was taken regardless of length of service. Eligible Employee is responsible for his/her portion of premiums due while on such leave. Paid Parental Leave eligibility begins on the day of the birth, adoption or fostering of the child.

**REQUESTING PARENTAL LEAVE**

Eligible Employees requesting Paid Parental Leave must provide thirty (30) days' notice (or as much notice as practicable if the leave is not foreseeable) to his/her manager of the request for leave and complete the necessary forms to obtain approval from the Human Resource Department. The completed Request for Paid Parental Leave of Absence form must be provided to your local Human Resources department no later than the first week of leave to be eligible for paid leave.

After the Parental Leave has concluded, any additional subsequent leave needed shall be covered under separate available statutory leave and/or Company leave policies. Paid Parental Leave is not charged against the Eligible employee's vacation leave credits.

Paid Parental Leave will be considered a separate benefit and will not run concurrently with short-term disability for those Eligible Employees who have given birth to a child.

Eligible Employees taking advantage of this paid leave policy will not be separately/concurrently eligible for medical paid time off (that is referenced in the leave of absence policy for the birth, adoption or foster of a child.)

If both parents are Eligible Employees, both may be eligible for paid leave under this Policy.

**COORDINATION WITH FAMILY AND MEDICAL LEAVE ACT (FMLA) AND OTHER STATE OR LOCAL FAMILY LEAVE LAWS**

Paid Parental Leave taken under this Policy will run concurrently with leave under the FMLA; thus, any leave taken under this Policy that falls under the definition of circumstances qualifying for leave due to the birth or placement of a child due to adoption or foster care, the leave will be counted toward the twelve (12) weeks of available FMLA leave per a 12-month period. All other requirements and provisions under the FMLA will apply. In no case will the total amount of leave—whether paid or unpaid—granted to the employee under the FMLA exceed twelve (12) weeks during the 12-month FMLA period. Please refer to the section on Family and Medical Leave Policy in this handbook for further guidance on the FMLA.

Where applicable, state or local family leave will run concurrently with Parental Leave.

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## **RETURN TO WORK**

The birth mother must provide to the Human Resources Business Partner, a return to work certification from her doctor on or before the return date stating that she is able to return to full duty work.

### **G. BEREAVEMENT LEAVE**

Full time employees may be granted time off with pay for the death of an immediate family member. If there is a death in an employee's immediate household or family, you are allowed up to five consecutive days of paid leave to attend to family matters. An immediate family member is defined as parent, grandparent, spouse, spouse's parent, child (including if employee is legal guardian), step-child, step-parent, grandchild, brother, sister, or any other relative who regularly makes their home with the employee.

### **H. MILITARY LEAVE**

Lummus Technology provides unpaid military leaves of absence to full-time and part-time employees in compliance with applicable state and federal laws.

The employee's request for military leave must be submitted to the Human Resources Department promptly and be accompanied by a copy of the employee's military orders, indicating the beginning and ending dates of duty.

Any employee's reinstatement rights are governed by applicable state and federal laws and Lummus Technology complies with all such laws.

### **I. JURY DUTY**

The Company encourages its employees to take an active role in the judicial process by serving as a member of a jury in a court of law.

Paid time off is available to full time employees called to serve on a jury. All jury duty should be coded as jury duty on employee timesheets. Upon return to work, an employee may be requested by their immediate supervisor to provide a form from the court clerk confirming their attendance. Any nominal pay that an employee receives for participating in the jury duty process may be retained by the employee.

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## **VI. EMPLOYEE INFORMATION PRIVACY POLICY**

### **PRIVACY POLICY**

The following describes how Lummus Technology handles your personal information and what steps we take to protect your privacy.

To affirm our commitment to protect employee privacy rights, and to comply with applicable law, Lummus Technology has developed this privacy policy. It is our policy to respect the privacy of current and former employees and to protect personal information entrusted to us. Lummus Technology collects information about you as a required to support your employment, and to fulfill legal and regulatory requirements. We tell our employees what personal information we collect and how we use that information to help carry out legitimate business tasks.

- We collect, use and retain only that information which is relevant and necessary
- We strive to ensure the accuracy of employee information
- We tell our employees how they can review and correct information we have about them
- We appropriately restrict access to employee information

### **UPDATING INFORMATION**

The accuracy of personnel information is very important. If the information in your personnel records is incorrect, a problem may arise concerning payroll deductions, employee benefits, employee verification or other important matters. Accordingly, employees are required to notify the Human Resources Department immediately whenever there is a change in their employee information, including, without limitation, home address, telephone number, marital status, name, employment benefits beneficiaries, number of dependents, emergency contact or academic qualifications.

### **ACCESSING INFORMATION**

Access to employee information is granted on a need to know basis and for business purposes only. Lummus Technology requires personnel who have access to employee information to protect and keep it confidential. Upon reasonable notice to the Human Resources Department, an active employee may review his or her personnel file in the presence of a designated staff member of Lummus Technology. Lummus Technology reserves the right to remove certain confidential information in the file in its discretion. The file itself is the confidential property of Lummus Technology and no material may be removed from the file.

### **SECURITY STANDARDS**

Lummus Technology continues to assess new technology designed to provide additional protection of your personal information. We use reasonable safeguards to protect this information in accordance with applicable federal and state guidelines and established

security standards and procedures. Measures we take in this regard include implementation of physical, electronic and procedural safeguards.

### **SHARING INFORMATION**

We limit disclosure of employee information to external parties without your approval to verify employment dates and most recent job title except under certain circumstances as deemed appropriate by Lummus Technology, and where authorized or required by applicable law or regulation. All requests for information made by persons outside Lummus Technology regarding both current and former employees must be referred to the Human Resources Department for response. This will assist in providing consistency of information disclosure.

Manager are restricted from providing any verifications of employment, or business letters of reference or recommendation regarding any employee at any time without the approval from the Human Resources Department.

## **VII. VOLUNTARY RESIGNATIONS**

Voluntary resignations by employees should be made in writing to the Department Supervisor, who will forward the resignation to the Human Resources Department, indicating the expected date of termination. It is expected that employees deciding to resign will give two weeks' notice or as otherwise provided in any written agreement between Lummus Technology and the employee and that each employee will participate in an exit interview, if requested by Lummus Technology.

Lummus Technology reserves the right to accept an employee's notice of resignation and to accelerate such notice and make the employee's resignation effective immediately, or on any other dates prior to the employee's intended last day of work that Lummus Technology deems appropriate.

Final paychecks will be mailed during the next normal pay period. If there are unpaid obligations to the Company, the final paycheck will reflect the appropriate deductions.