



Borsuk Transport Inc

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**Employee Handbook &
Safety Manual**



Welcome to Borsuk Transport

Dear Employee:

Welcome to Borsuk Transport. We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. You are joining an organization that has a reputation for outstanding leadership, innovation, and expertise. Our employee and contractors use their creativity and talent to invent new solutions, meet new demands, and offer the most effective services/products in the industry. With your active involvement, creativity, and support, Borsuk Transport will continue to achieve its goals.

Please take time to review the policies contained in this handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources Department.

Our Company Mission Statement

Our mission is to provide dependable, efficient, cost effective, professional transportation services to our customers. We will safely deliver our customers cargo within the United States of America while meeting or exceeding expectations. Our success depends upon the contributions of all our employees and or Owner Operators. Our family-oriented company will provide a safe and pleasant work environment while encouraging professional development and teamwork.

General Information

This handbook provides information about the general work environment, what an employee and contractor can expect from us, and what is expected of you in return. The policies and procedures herein are presented for information only and does not constitute a contract of employment. However, all contractors leased on with Borsuk Transport and that are operating under our DOT number and federal operating authority are required to follow our rules and regulations within this handbook.

This handbook gives new employee and contractors a general overview of the Company's policies and procedures. Each new edition of this handbook will supersede over any previous editions. Again, this handbook does not create a contract of employment and the Company reserves the right to change the policies and procedures at any time without prior notice to employees. This handbook does not represent all Company policies and procedures.

Equal Employment Opportunity Policy

It is the policy of the Company to provide equal employment opportunity to all individuals regardless of race, creed, color, religion, sex, age, national origin, disability, veteran status, sexual orientation, marital status, military status, genetic information, or



any other characteristic protected by local, state, or federal law and the Company is strongly committed to this policy.

To provide equal employment and advancement opportunities to all individuals, employment decisions at Borsuk Transport will be based on merit, qualifications, and abilities. Borsuk Transport does not discriminate in employment opportunities or practices based on race, color, religion, sex, national origin, age, disability, or any other characteristic protected by law. The Company believes in and practices equal opportunity. Borsuk Transport will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

The Human Resources Department serves as the Equal Opportunity Coordinator and has overall responsibility for ensuring compliance with this policy. All employees are responsible for supporting the concept of equal opportunity and assisting the Company in meeting its objectives. Failure to abide by this policy will result in discipline up to and including termination of employment or contract.

Americans with Disabilities Act (ADA) and Reasonable Accommodation

To ensure equal employment opportunities to qualified individuals with a disability, Borsuk Transport will make reasonable accommodations for the known or disclosed disability of an otherwise qualified individual, unless undue hardship on the operation of the business would result. Employees who may require a reasonable accommodation should contact the Human Resources Department.

Commitment to Diversity

Borsuk Transport is 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 Borsuk Transport and is an important principle of sound business management.

Employment at Will Policy

Borsuk Transport has both contractors and employees. All contractors can refer to their signed contract for cancellation information of the agreements. All non-employees should refer to this manual.

Each employee at Borsuk Transport is an “at-will” employee, which means that either the employee or the Company may terminate the employment relationship at any time without advanced notice, for any reason in accordance with applicable federal and state laws. No Company official other than the CEO is authorized to make any oral or written statement or promises guaranteeing employment or otherwise affect the at-will



relationship and therefore, employees should not rely on any such statements. Contrary statements by the CEO are effective only if in writing, signed and dated by the CEO.

Nothing in this employee handbook is intended to or creates an employment agreement, express or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act. Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. Borsuk Transport employees have the right to engage in or refrain from such activities.

Open-Door Policy

The Company encourages an open-door policy. Borsuk Transport is committed to responding effectively to employee concerns. Whereas the chain of command is used as Borsuk Transport hierarchy of authority, therefore all employees should first address any concerns with their immediate supervisor and together determine and implement an appropriate course of action. If the employee is not satisfied with the course of action, an employee can continue to address the situation by using the chain of command. There will not be any adverse consequences for discussing any problem with management or Human Resources.

Orientation/Training Period Policy

New employees or those transferred to a new position will undergo an orientation and training period. The orientation and training period is used to determine whether the employee is able to fulfill the requirements of the job and to allow the new employee an opportunity to become familiar with the Company's operating procedures. The orientation and training period shall be ninety (90) days. If necessary, an employee's orientation/training period can be extended an additional ninety (90) days if the manager deems it necessary.

Professional Conduct Policy

It is the policy of Borsuk Transport that employees do not engage in rude or unprofessional behavior toward any customer or any other third party in contact with Borsuk Transport. While in the course and scope of their job with Borsuk Transport, employees are not to be discourteous, disrespectful, or dishonest to a customer, a member of management or any member of the public. In addition, employees and Contractors will not engage in any type of documentation falsification including but not limited to logs and maintenance records. This extends to all behavior while on the job and includes all times employees are engaged in work-related activities, whether on company property or at another location.



Employees and contractors are expected to work in a cooperative manner with management, supervisors, coworkers, customers, vendors, suppliers, and other third parties. Being insubordinate, threatening, intimidating, disrespectful, or assaulting a manager, supervisor, coworker, customer, vendor, supplier, or other third parties will result in discipline up to and including immediate termination of employment or contract.

Employees are expected to:

- Refrain from threatening, intimidating, coercing, or otherwise interfering with the job performance of fellow employees.
- Refrain from falsifying company documents.
- Refrain from engaging in discriminatory behavior.
- Refrain from harassing another employee.
- Refrain from making racial slurs, derogatory comments, inappropriate jokes, or insults.
- Refrain from using profanity or making malicious statements.
- Refrain from making inappropriate gestures.
- Follow the policies within the Employee Handbook.
- Communicate effectively with customers.
- Respect that other employees may choose not to discuss personal matters.
- Maintain confidentiality regarding customer information.
- Maintain confidentiality of Borsuk Transport's confidential information (e.g., confidential company financial data, historical use of services by customers, pricing information)
- Dress appropriately and represent the company in a professional manor.

Examples of inappropriate conduct include, but are not limited to, the following:

- Causing physical harm to another employee
- Unprofessional or disrespectful behavior toward an employee or customer
- Loud language or shouting
- Making threats or bullying others
- Falsifying Documents
- Actions that cause damage to another people's property
- Actions that cause damage to company property or equipment

Employees who engage violate this policy and are subject to discipline, up to and including termination of employment or contract.

Insubordination

Implicit in the agreement of hire is the concept that an employee or contractor is subject to some degree of authority exercised by the employer or the employer's representative. Employee and contractors are expected to work in a cooperative manner with management/supervision, coworkers, customers, and vendors. Being insubordinate,



threatening, intimidating, disrespectful, or assaulting a manager or supervisor, coworker, customer, or vendor will result in discipline up to and including termination of employment or Contract.

Insubordination occurs when an employee willfully and intentionally disobeys or disregards a manager's legitimate, reasonable, and lawful directive. An unjustified refusal to obey a manager will be subject to discipline up to and including termination of employment or contract.

E-mail and Internet Use Policy

The company provides a wide variety of communication tools and resources for employee and contractors to use in performing their job with Borsuk Transport. Whether it is the telephone, tablet, voice mail, fax, scanner, internet, intranet, e-mail, text messaging, or any other company provided technology or device (collectively the Company Systems"), use should be reserved for business-related matters during working hours. All communication using the Company Systems should be handled in accordance with the company's policies, and should not include communications that are threatening, intimidating, disrespectful, harassing, discriminatory or otherwise in violation of Borsuk Transport's policies.

Employee and contractors should not have any expectation of privacy in their use of Company Systems (including but not limited to, company computers, phones, or other communication tools provide by Borsuk Transport). All communications made using company-provided equipment or services including, but not limited to, email and internet activity, are subject to inspection by the company. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on the company's systems and reviewed by Borsuk Transport at any time.

The Company Systems are used to communicate with fellow employees, suppliers, customers, or potential customers regarding company business. Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside the company.

Refrain from using e-mail in a manner that violates any of our company guidelines/policies, including but not limited to the Equal Opportunity, Harassment policies, or any other policy within this handbook. Delete any e-mail messages prior to opening that are received from unknown senders or advertisers.

Attendance

Borsuk Transport expects employees to be reliable and punctual for scheduled work, for deliveries and for all pick ups of loads. Absenteeism and tardiness place a burden on the



organization and our customers. In any instance where an employee cannot avoid missing work, being later for work or being late for deliveries or pick-ups, the employee must notify the manager as soon as the employee is aware of the situation that may cause this. You must also notify your manager each day that you are going to be absent. Excessive absenteeism or lateness will be subject to disciplinary actions up to and including termination of employment or contract. Any employee or contractor with two absences in a row without calling will be considered a “no call/No Show” and their employment or contract will be automatically terminated.

Social Media

Borsuk Transport recognizes that Internet-provided social media can be a highly effective tool for sharing ideas and exchanging information. However, the company also seeks to ensure that social media usage services its needs to maintain its brand identity and Borsuk Transport while minimizing actual or potential legal risks. Therefore, the company has stabled this Social Media Policy, which includes the rules and guidelines set forth below. Borsuk Transport defines “social media” broadly to include online platforms that facilitate activities such as professional or social networking, posting commentary or opinions, and sharing pictures, audio, video, or other content, “Social media” includes personal websites and all types of online communities (e.g., social networking sites such as Facebook, LinkedIn, Yelp, You Tube, Twitter, Instagram, as well as blogs, forums, message boards, and chat rooms).

It is important to note that information posted on personal websites can be viewed by members of the public, by other employees (including company management), by customers or clients of the company, or by competitors. Remember, too that almost all input online is archived, so even posts that an employee deletes may be uncovered or recovered by someone. Social media content may also be reposted and shared and may reach individuals an employee does not intend them to reach. Therefore, we encourage you to consider some of the risks and rewards that are involved before creating online content. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow associates, or otherwise adversely affects customers, suppliers, coworkers, or Borsuk Transport’s legitimate business interests may result in disciplinary action up to and including termination.

Employees should be aware that their actions outside of work, including those on social media sites, can affect the workplace. Your social media activity is covered by all company policies including, but not limited to Internet Use Policy; its policies that prohibit unlawful harassment, discrimination, and retaliation; and its policies regarding the confidentiality of Borsuk Transport’s and its customers’ confidential information and trade secrets. For example, threats of violence, harassment, disrespectful, inappropriate, unprofessional, or discriminatory behavior will not be tolerated by Borsuk Transport, no matter the medium, and no matter when such posts are made (e.g., whether during or outside of work hours).



We expect its employees to follow the guidelines outlined below. Violation of these guidelines or this Social Media Policy may lead to disciplinary action up to and including termination.

- Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify or reference company clients, customers, or vendors without express permission. The company monitors employee use of company computers and the Internet, including employee blogging and social networking activity.
- Employees should not post content on social media that violates the company's discrimination or harassment policies, or that is threatening or obscene. Refrain from making inappropriate posting that may include discriminatory remarks, ethnic slurs, harassment, and threats or violence or similar inappropriate or unlawful conduct.
- Employees should be fair and courteous to fellow associates, customers, members, suppliers, and people who work on behalf of the company. Also, keep in mind that you may be more likely to resolve work-related complaints by speaking directly with your coworkers, by utilizing our Open-Door Policy, or by submitting complaints to HR than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, profanity, insults, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening, or intimidating, that disparage customers, or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment based on race, sex, disability, religion, or any other status protected by law or company policy.
- Employees should not display or post videos or other images of, or material about, the Company's employees that are libelous, proprietary, harassing, bullying, discriminatory, retaliatory, or that can create a hostile work environment.
- Employees should maintain the confidentiality of Borsuk Transport's trade secrets and private or confidential information. Trade secrets may include information regarding the development of systems, processes, products, know-how and technology and other information considered a trade secret pursuant to applicable law.
- Employees should not post new ideas related to work or the company's business without the company's permission, as such ideas belong to the company.
- The Company protects its copyrights, trademarks, and logos. You should respect the laws regarding copyrights, trademark, rights of publicity, and other third-party rights. To minimize the risk of a copyright violation, you should reference to the



source(s) of information you use and accurately cite copyrighted works you identify in your online communications.

- Employees should not infringe on Borsuk Transport logos, brand names, taglines, slogans, or other trademarks. You may not use the company's logos, brand names, taglines, slogans, or other trademarks or other protected information or property for any business or commercial venture without written approval from the Company.
- Do not use the company's or others' trademarks or pictures of company property on any open forums, social media site, (including similar trade sites) or reproduce the company's or others' material without first obtaining permission. This includes pictures, images, or videos of the company's trucks/property. Please see confidentiality policy for more information.
- Employees should not represent that the Company has authorized you to speak on behalf of the Company or that the Company has approved your message unless you receive prior written authorization to do so from the Company.
- Employees should not speak to the media on the company's behalf without first obtaining consent from the Company to speak on the company's behalf. All media inquiries should be directed to the CEO.
- Employees should not advertise or sell the company's services or products via social media without prior written approval from the Company.
- Refrain from using social media while on work time or on equipment we provide, unless it is directly related to your work, approved by your manager, and does not identify or reference company clients, customers, or vendors without express permission.
- Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.
- Managers should not "friend" subordinate employees on non-professional social media sites.

Violations of this policy may result in discipline up to and including immediate termination of employment. The Company reserves the right to use software and search tools to monitor comments or discussions about it, its representatives, its products, its services, its customers, its vendors, and its competitors that are posted anywhere on the Internet, including social media.

Borsuk Transport prohibits taking negative action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.



If you have any questions or need further guidance, please contact the Human Resources Department.

Note: The Company respects your right to communicate on your own behalf concerning terms and conditions of employment. Nothing in this policy is meant to, nor should it be interpreted to, in any way limits your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.

Pay and Payroll Deductions

It is the policy of Borsuk Transport to issue employee paychecks weekly for non-salaried and salaried employees. Through Borsuk Transport direct deposit program, an employee will receive a notice their account has been credited. All direct deposit pay stubs are available via the payroll provider website. If an employee would like to receive instructions how to access and set up their account on the site, they can do so by contacting the HR department. If a payday is a national holiday, checks will be issued the day before the holiday.

Jury Duty

Borsuk Transport recognizes that employees may need to serve on jury or witness duty when called. You must notify your supervisor of the need for time off for jury or witness duty as soon as a notice or summons from the court or a subpoena is received. The company does not pay employees for jury duty and employees will be required to provide documentation of attendance.

Borsuk Transport does not compensate employees for jury duty or witness leave, unless otherwise required by law. Contact Human Resources to write a letter on your behalf stating this if needed. If you do serve on jury or witness duty, you may be requested to provide written verification from the court clerk of having served. If work time remains after any day of jury or witness duty, you will be expected to return to work for the remainder of your work schedule.

Bereavement

All employees will be given up to three (3) days off to attend the funeral of their immediate family or make any necessary arrangement associated with the death of an immediate family member. "Immediate family" consists of the employee's spouse, domestic partner, child, sibling, parents, grandparents, grandchildren, or the child, sibling or parents of the employee's spouse or domestic partner.



All full-time employees will be compensated for time off. Request for time off must be submitted in writing. In addition, the Company may request additional information to verify the need for time off.

Safety Mission Statement

At Borsuk Transport we fully believe there is nothing more important than protecting our people, the environment and everyone who travels on our nation's highways. Therefore, safety is of the utmost importance and will take precedence over everything we do.

Safety Policy

We believe everyone that is employed at Borsuk Transport is responsible for the safety of themselves, everyone around them and the organization. Therefore, we are committed to continuous safety training with each employee and contractor we are committed to having a culture where everyone has ownership of and is responsible for safety, for following all company safety procedures and holding each other accountable for safety. We believe that Safety is everyone's job.

Commercial Motor Vehicle Drivers

All CMV drivers that are employed and or contracted with Borsuk Transport will and are employed or contracted in a position that is working in a Safety Sensitive Function defined by the FMCSA Regulations.

CFR part 382.107 defines **Safety-sensitive function** as the following:

This means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

- (1) All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
- (2) All time inspecting equipment as required by §§392.7 and 392.8 of these subchapters or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- (3) All time spent at the driving controls of a commercial motor vehicle in operation.
- (4) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of §393.76 of this subchapter).



- (5) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- (6) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Commercial Motor Vehicles (CMV)

It is the policy of Borsuk Transport to not allow riders in any CMV, including pets. In addition, CMV's must always operate in a safe manor by authorized personnel only. This is achieved by following the FMCSA rules and regulations while also obeying state and federal laws for CMV's. In addition, this means following the FMCSA regulations for the Hours-of-Service guidelines (see written policies on unsafe driving and HOS compliance).

To be eligible to drive a company vehicle, you must meet company standards and DOT requirements which are approved by the safety and recruiting department (seeing hiring standards).

CMV Driver Hiring Standards

The following Driver Guidelines are provided as an aid to determine driver acceptability:

- ❖ A driver must have two or more years of verifiable long-haul over-the-road experience.
- ❖ A driver must be at least 23 years old.
- ❖ Clean MVR and PSP report
- ❖ Up to date medical examiners certificate
- ❖ trucks must be model year 2008 or newer.
- ❖ s must pass our internal vehicle inspection process.

Disqualifying Events

A driver will be considered unacceptable if any of the following have occurred during the latest three-year period because of business and personal use, unless prohibited by state law:

- One at-fault accidents within the last 12 months that has resulted in an injury, death, or severe damage.
- Other serious violations (i.e., speed of 15 mph or more over the speed limit, failure to use seatbelt)
- Conviction of reckless, careless, or negligent driving within last 12 months
- Conviction of driving under the influence (DUI) or driving while intoxicated (DWI) of drugs or alcohol (an "open container" conviction would also fall within this category) within last 5 years.
- Illegal possession of a controlled substance
- Refusing to test and or testing positive to a drug and alcohol test (last 3 years)



- Driving while impaired
- Operating after license has been denied or suspended.
- Misrepresentation to avoid arrest.
- Misrepresentation to obtain driver's license.
- Traffic violation resulting in death.
- Conviction of leaving the scene of an accident (hit-and-run)
- Conviction of using a vehicle to elude an officer.
- Current license is under suspension or revocation.
- Revocation for any reason
- Operating while license is revoked or suspended.
- Vehicle used in connection with a felony.
- Driving while using a wireless phone, or texting while driving
- 3 or more jobs within the last year, 5 or more jobs within the last 2 years

DOT/Medical Cards

Borsuk Transport will monitor and track all drivers medical card expirations; however, it is the driver's responsibility to know when their annual physicals expire. Borsuk Transport will also monitor these expirations and notify you via email and verbal communications about expiring items. We will start the notification process 30 days in advance, then notify you again within 14 days. Drivers will be required to obtain their new physical card at least 15 days prior to their current one's expiration date. This way if there are any issues such as blood pressure, sleep apnea, or other concerns these can be addressed before your current one expires. Waiting till the last day is no longer an option, this causes to many issues for operations when they are expecting you to be working and you are unable to do to unforeseen circumstances. If the day your medical cert expires and you have not renewed this, you will be placed out of service and not dispatched until we have proof of your renewal. In addition, drivers must provide the state license bureau with an updated copy of their physical. Failure to comply with this DOT regulation will result in Borsuk Transport being out of compliance with the federal regulations and you will be placed out of service until you comply.

Fitness for duty

When leave is taken for the employee's own health condition, the employee or is expected to return to work when released by a health care provider. The employee or will need to provide a Fitness for Duty certification before returning to work. All CMV drivers may be required (dependent upon the type of leave and condition) to take a DOT physical and or drug screen prior to returning to duty.



Hours of Service

Borsuk Transport is committed to the safety of our employees, the environment, the public, and all stakeholders of this organization. Therefore, we have created a safety policy that we will abide by to remain compliant with the FMCSA HOS regulations. All Commercial Motor Vehicle Drivers are required to use The EROAD electronic logging device to record all hours of service. All Drivers will follow the 11-hour driving limit, the 14-hour duty limit, the 30-minute break rule and the 70-hour duty limits set forth in **The FMCSA's Part 395 CFR.**

Log Auditing:

The safety department will also conduct weekly and monthly log audits, to ensure drivers are not in violation of the regulations. If drivers are found to be in violation, the safety department will counsel, retrain, or discipline drivers that break the HOS laws.

Borsuk Transport safety department will also fill out a monthly summary report to identify drivers that have multiple violations and will use this report in accordance with the disciplinary actions listed in this policy.

When drivers do have violations, the following disciplinary actions can and will be enforced.

1st violation – Driver Counseled on violation

2nd Violation – Driver counseled and issued verbal warning.

3rd violation – Driver issued formal disciplinary write up and retrained on HOS regulations.

4th Violation – Driver issued final written warning.

5th violation – Drivers faces suspension and or termination of employment.

Blatant violations are subject to automatic termination of employment.

Example of a Blatant Violation:

1. A driver logs out of the ELD system and continues to drive when they knowingly have no hours available.
2. A driver violates the HOS regulations deliberately by going over the 11-hour limit, the 14hour limit, the 70-hour limit to advance their position further.
3. Unauthorized use or misuse of the below Personal Conveyance rules.

Personal Conveyance:

The company does allow the use of personal conveyance. However, the company policy on personal conveyance is, **1 hour of drive time or 60 miles**, whichever comes first. We feel that you can find a safe location to park within this time frame and these miles driven.



Anyone who violates the Personal Conveyance rules will be subject to disciplinary actions up to and including termination of employment.

Safe Driving Policy

All Borsuk Transport drivers are required to drive safely, obey all traffic laws and FMCSA regulations. If a driver is issued a ticket, CSA violation and or involved in an accident, the driver will be subject to disciplinary actions, retraining on safe driving and or termination of employment.

Cell Phone Use Policy

Borsuk Transport has a ZERO tolerance policy for the use of handheld cell phones, including handheld calls, texting, reading, or sending emails, videotaping, or taking pictures, and any other handheld device usage while driving or operating a commercial vehicle. In the event a driver is caught by management, issued a ticket, a warning ticket, a CSA violation or involved in a CMV accident while using a hand-held cell phone, **the employees' position with the company will be terminated.**

Borsuk Transport does allow the use of Bluetooth Devices in accordance with federal laws and regulations. Bluetooth Devices must be push button to call or to answer – drivers cannot hold their phone at any time while operating any commercial vehicle. **However, Borsuk Transport prefers that if a driver needs to make a phone call that the driver pulls over in a safe location to avoid being distracted.**

Speeding and Seat Belt Safety Policy

All employee's or other drivers on our highway's safety is of utmost concern at Borsuk Transport. We expect all employee and contractors to follow all laws and rules of the road. It is our policy that all drivers are to follow the law by wearing their seat belt and abiding by the posted legal speed limit.

Any driver given a ticket or issued a CSA violation (including a warning) due to not wearing a seat belt will be subject to disciplinary actions of a **three-day suspension on their first offence and termination of employment or contract on the second offence.**

Borsuk Transport policy on speeding of 6 mph or above the posted speed limit is an automatic threeday suspension on the CMV drivers first offense. A second offence of speeding at 6 mph or higher over the posted speed limit is automatic termination of employment. **In addition, any**



speeding violation of 15 mph or above the posted speed limit is considered reckless operation of a CMV and will be an automatic termination of employment or contract.

Drivers will be responsible for **immediately reporting, paying** all speeding and **Seat Belt** violations and tickets personally; along with any other tickets or violations they are issued that is a result of their judgement.

Failure to report any violations/tickets (including warnings) to the safety department, while in a CMV vehicle will be grounds for disciplinary actions up to and including termination of employment or contract. All violations/tickets/warnings need to be reported within 24 hours of receiving the violation.

Failure to Obey Traffic Control Device

The US Dept. of Transportation defines a traffic control device as a sign, signal, marking, or other device placed on or adjacent to a street or highway (by authority of a public body or official having jurisdiction), to regulate, warn, or guide traffic. Failure to obey a traffic control device is one of the most common unsafe driving violations cited during roadside inspections. Disobeying these devices not only could result in a violation or citation but could also result in serious injury or death to other motorists, pedestrians, or yourself.

Failure to comply with all traffic control devices is a safety violation and may result in disciplinary action up to and including termination of employment or contract.

Accident Procedures

If an employee or is involved in an accident while driving a company vehicle, the employee must notify the **Safety Department immediately**. All employees should follow the S N D procedures. **S = Secure the scene**, check on injured parties, move equipment if it is in danger of causing another accident, put up warning devices.

N = Notify authorities. Give them the exact location and number of injured. **Notify Safety department**.

D= Document the scene. Take as many pictures as possible from all angles (not just up close of the damage), get names of other parties, license plate or truck numbers, USDOT numbers, time of day, road conditions, weather conditions.

A company accident report must be filled out immediately and turned in by the next business day. In addition, per FMCSA regulations (49 CFR, Part 382, and part 40) All CMV drivers are subject to post accident testing regulations (see drug and alcohol policy for more information).

Safety Rewards & Bonus program



Rewards

Borsuk Transport has a clean inspection rewards program. Any driver that is issued a clean FMCSA roadside inspection will receive a monetary reward for their efforts. These inspection forms must be turned into the company as proof and for our records.

Level 1 Clean Inspection = \$100.00 reward

Level 2 Clean inspection = \$50.00 reward

Level 3 clean Inspection = \$25.00 reward

Quality Policy

Borsuk Transport is committed to providing 100% customer satisfaction. This includes providing a service that not only revolves around our employees being safe, but also providing a quality service with a goal of 100% damage free deliveries.

The requirements for all drivers are as follows:

Electronic Proof of Delivery (EPOD)

Our customers require and grade us on EPOD usage. When we do not use the program correctly, our quality scores suffer with our manufacturers. Therefore, **all auto haul drivers** are required to use the EPOD program/application. This includes conducting pre-bay inspections, documenting damages prior to movement of the vehicle and properly documenting damages when making delivery to final destinations.

Documenting Damages Pre-Bay

When finding damage prior to loading vehicles, all drivers are required to properly document the damage by using the EPOD program and industry standard codes. The company also requires a minimum of three pictures, one of the vehicles in bay location, one of the vehicle vin and (at least one) of the actual damage found. In addition, when finding pre-bay damages, you must report this damage to the loading yard and request that they provide documentation of these damages.

Documenting Damages at Delivery

When making deliveries during normal business hours, all drivers are required to document damages dealers find with the EPOD. If the damages are also damages found during pre-load, make sure that the dealer codes match the pre-load codes you entered. If these codes do not match, we cannot deny claims.



******Proper documentation of damages is vital to Borsuk Transport having the ability to not only properly deny claims, but in also tracking our company performance. This includes helping us to identify dealers that may report excessive damages.**

Additional information

If at any time a dealer is asking you to STI or refuses to sign your EPOD during normal business hours, you must call your Regional Safety and Quality Manager immediately. We must never STI during normal business hours.

Failure to properly follow EPOD requirements or falsification of EPOD documentation (forging signatures) will be grounds for termination of employment.

Pre-Bay Inspections

All drivers must verify VIN numbers and thorough walk around inspections prior to moving any vehicle out of the assigned bay location. This means, at a minimum and not limited to inspecting the following: Left door, left fender, hood, roof, front and rear bumpers, trunks/liftgates, undercarriage and interiors of vehicles. Once the vehicle is fully inspected with no damages found, the driver can proceed to load the vehicle on the truck. In the instance that a pre-bay damage is found, that must be documented with the company that oversees the yard.

Documentation must be in writing and copies must be attained by the driver.

Snow- and Ice-covered vehicles should be cleaned using an approved snow broom and then inspected for damage. All windows should be cleared of any obstructions to increase vision prior to moving vehicles.

When conducting inspections and vehicles are covered/wrapped, drivers must visually inspect the wrapping for damages. Drivers must properly report issues with wrapping via the EPOD as well.

Loading of Vehicles

All decks on the transporter should be clear and free of any debris, snow, or ice prior to loading. Drivers must park on firm level ground, remove all straps, and set up the transporter to start loading the vehicle in number one position (head-rack). Once the vehicle is properly positioned in number one position, the drivers **MUST** always strap the vehicle maintaining 3 points of contact.

Loading yards

All drivers must follow all loading yard procedures. This includes but it is not limited to following all posted speed limits, obeying safe loading speed limits as to not cause damage to vehicles, to not use vehicles being loaded for personal use; For example, picking up food at the



gate, shuttling other drivers. In addition, you are not allowed to take your 10-hour break and sleep in the loading yards.

Manufacturer Requirements

All drivers are required to follow all manufacturing requirements for each vehicle loaded. This includes but is not limited to the following: forward or rearward facing regulations, proper **securement regulations (4 straps)**, positioning standards, proper cleat positioning, whether frame strapping is allowed and proper positions for frame strapping. Drivers are required to review customer loading manuals with supervision prior to loading vehicles on the transporter.

Keys

All drivers are required to pull keys and lock each vehicle on the transporter. Keys must be stored in a safe and secure location while the vehicles are in your possession. When stopping for the night, drivers that stay in motels must take the keys with them into their motel/hotel for the evening. It is the driver's responsibility to keep track of, secure and maintain the keys for each vehicle. **Any driver that leaves keys in a vehicle and has a vehicle or multiple vehicles stolen from the transporter will have their employment terminated.**

Pinning Decks

All drivers are required to pin decks 100% of the time, no exceptions. Drivers in violation of this will face disciplinary actions.

Tie Downs, Clearance and Spacing

Every manufacture requires and therefore Borsuk Transport requires **4-wheel straps on every vehicle**. Straps must be secured over the center tread, straps must Not be twisted or knotted, never drive over straps as this could cause a damage and or damage to straps over time. Maximum height of your load must not exceed the legal limit if 13 foot 6 inches. Bumper to Bumper clearance should be a minimum of 6 inches, side to side clearance must be a minimum of 4 inches, roof to ramp clearance must be a minimum of 4 inches and under body clearance must be a minimum of 4 inches.

Drivers are required to check and double check each load prior to departing. Drivers are also required to stop and conduct an in-route inspection within the first 100 miles or 2 hours of their trip to ensure safety and security of the load.

Safety Requirements during loading and unloading of vehicles.

- Every Driver must pin their decks 100% of the time
- Every driver is required to use their ladders to do any work in the air.
- Every driver is to load from the ground up and not work on raised decks
- Every driver is to follow manufacturing loading procedures
- Drivers are prohibited from walking up and down raised decks
- Drivers are prohibited from crossing over the decks from one side to the other
- All straps must be removed, and decks must be clean and clear of obstructions prior to loading



- All snow and or ice needs to be removed prior to loading vehicles
- Proper PPE must be worn – safety vest, closed toed shoes

Damage Reporting Process

When a driver does have a damage, that driver is to properly document the damage using the EPOD and notify your direct manager immediately.

The Driver will also enter the damages and pictures into the EPOD system. The EPOD usages is extremely important in documenting damages and helping the company and or driver to deny claims. Proper reporting of ALL damages is essential to protecting the driver and the company from unwarranted damage claims.

All claims will be investigated to determine the root cause; whether the damage was preventable or non-preventable and how to prevent future damages (retraining of driver, equipment repairs/changes etc.). In addition, the investigation process will help to determine the proper disciplinary actions that will need to be implemented in accordance with this policy; if any.

Disciplinary Actions

1st incident: Driver will be issued formal verbal warning and possibly attend retraining on proper loading/unloading procedures (at management's discretion).

2nd incident: Driver will be issued formal write up, possibly go through retraining on proper loading/unloading procedures and face the possibility of suspension (at managements discretion).

3rd incident: Driver will be issued further disciplinary actions that could result in retraining, suspension and or possible termination of employment (at management's discretion).

Loss of Value Claim

A preventable loss of value claim exceeding \$3,500.00 will be grounds for automatic termination of employment (at management's discretion).

Total loss Claim

A preventable total loss claim will be Automatic Termination of employment (at management's discretion).

Bridge hits

Bridge hits are automatic termination of employment (at management's discretion).

Failing to report damages.

When a driver fails to report a damage within a timely fashion, the driver is subject to disciplinary actions up to and including termination of employment. A timely report means the same day the damage occurred but no more than 12 hours after the damage occurred.



Excessive Damages

Our customers pay us to deliver vehicles damage free, therefore the expectation of our drivers is to do exactly that. If we do not deliver vehicles damage free, we will not have customers to service. Therefore, drivers that have excessive damages (3 or more per quarter) are subject to disciplinary actions up to and including termination of employment (at management discretion).

Damages will be considered major when the vehicle damaged has \$2,000.00 dollars or more in damages, this includes original repair costs and any loss of value invoices (all vehicle invoices added together). Major damage also consists of any total loss vehicle.

*******Any bridge hit, or overhead obstruction hit that causes major damage is subject to termination of employment.**

Drug and Alcohol Policy

Borsuk Transport has a zero-tolerance policy for the use of illegal drugs and alcohol. It is the policy of the company to prohibit the possession or consumption of alcohol, or any form of illegal drugs, or misuse of prescription drugs in any form on company time, under dispatch or on company premises.

Company time includes all work time, travel time, time spent entertaining business associates beyond the normal workday, travel time, and time attending association meetings (even when meetings themselves are not in session). Company premises include all owned or leased property, owned or leased vehicles, company parking lots, and similar locations.

Drivers conduct that is prohibited is found in 49 CFR Part 382 Subpart B.

- (1) No driver shall report for duty requiring the performance of a safety sensitive function with an alcohol concentration of 0.04 or greater.
- (2) No driver shall use alcohol while performing a safety sensitive function.
- (3) No driver shall perform a safety sensitive function within 4 hours after using alcohol.
- (4) No driver required to take a post accident alcohol test under 49 CFR Section 382.209 shall use alcohol for 8 hours following the accident.
- (5) No driver shall refuse to submit to any required alcohol or controlled substances test.



- (6)) No driver shall report for duty requiring the performance of a safety sensitive function when the driver uses controlled substances, except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in 49 CFR Section 382.107. This must not interfere with the driver's ability to perform a safety sensitive function.
- (7)) No driver shall report for duty or remain on duty requiring the performance of a safety sensitive function if the driver tests positive for controlled substances.

All CMV drivers are subject to the FMCSA regulations for drug and alcohol use under code CFR part 40. Any CMV driver that refuses to test, alters a test, or fails a test, are considered a positive test (FMCSA CFR part 40), and will have their employment or contract terminated immediately.

Failure to comply with this policy will result in termination of employment or contract.

Drug Testing

Borsuk Transport is committed to achieving and maintaining a safe and productive work environment for all employees. This includes providing a drug-free, healthful, safe, and secure work environment. The company will not tolerate the use of alcohol or illegal drugs on premises, nor will the company allow employees and or contractors to work while they have illegal drugs or alcohol in their system.

Employees and contractors are expected and required to report to work in an appropriate healthful working environment, under FMCSA 49 CFR part 382, an employee may be asked to provide samples such as urine or breathe alcohol tests to identify the illicit or illegal use of drugs and alcohol.

All CMV drivers are subject to the FMCSA regulations for drug and alcohol use under code CFR part 40. Any CMV driver that refuses to test, alters a test, or fails a test, are considered a positive test (FMCSA CFR part 40), and will have their employment or contract terminated immediately.

The company reserves its right to conduct test or queries within the clearinghouse in the following situations:

- **Pre-employment:** FMCSA regulations 49 CFR part 382 require all new applicants that will be considered for employment/contract to pass a pre-employment drug screen. This includes conducting the required full query through the FMCSA Drug and Alcohol Clearinghouse program.
- **Randomly:** FMCSA regulations 49 CFR part 382 require all drivers to be placed in the company random testing pool.



- **Reasonable Suspicion**: when probable cause exists that an employee is under the influence or affected by drugs or alcohol. This includes but is not limited to tests following any on-the-job accidents or injuries which may have been caused by human error, abnormal or unusual behavior, excessive absenteeism, or the like.
- **Post accident**: FMCSA regulations 49 CFR part 382 require all drivers involved in a DOT recordable crash to submit to post accident testing.
- **Follow up**: When needed, follow up testing is required per the 49 CFR part 382 and we will conduct in accordance with these regulations.
- **Clearinghouse regulations**: If a driver does not consent to a limited or full query, we will be forced to place that driver out of service within 24 hours. In addition, per the FMCSA regulations, this is the same as a refusal to submit and will be reported as a positive test within the clearinghouse.
- **Non-Regulated Post Accident**– If an employee is involved in any type of accident or injury while on the job or while driving company vehicles, the company policy is to send the employee for a drug test. Unless otherwise required in the federal regulations, this test will be a non-DOT regulated test.

Refusal to submit to an alcohol or controlled substances test is defined in 49 CFR 382.107.

Refusal to submit to an alcohol or controlled substances test means that a driver:

- (1) Failed to appear for any test (except a Pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner operator) to appear for a test when called by a C/TPA.
- (2) Failed to remain at the testing site until the testing proceeds is complete. Provided, that an employee who leaves the testing site before the testing process commences on a pre- employment test is not deemed to have refused to test.
- (3) Failed to provide a urine specimen for any drug test required by this part or DOT agency regulations. Provided, that an employee who does not provide a urine specimen, because he or she has left the testing site before the testing process commences on a pre- employment test is not deemed to have refused to test.
- (4) In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of a specimen.



- (5) Failed to provide an enough urine specimen when directed and it has been determined that there was no adequate medical explanation for the failure.
- (6) Failed or declined to take a second test the employer or the collector has directed the driver to take.

- (7) Failed to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER under 49 CFR 40.193(d). In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment.
- (8) Failed to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).

- (9) Is reported by the MRO as having a verified adulterated or substituted test result.

Note: In reference to item 1 for the FMCSA; reasonable time means the employer shall ensure the driver ceases to perform the safety sensitive function and proceeds to the testing site as soon as possible. All drug and alcohol test are required to be logged as ON DUTY time per federal regulations.

****Refusal to submit to drug or alcohol testing is considered a positive test and will result in disciplinary action, up to and including termination of employment or contract.

****Any employee or with drug or alcohol problem is encouraged to come forward to seek help at any time. Please note that violations of this policy will still be disciplined even if the employee or has sought help. Questions concerning this policy, or its administration should be directed to the Human Resources department.

Additional Information

Any positive test, refusal to submit or altered test will be considered a positive test and will be cause for immediate termination of employment or contract. Any employee or who believes that his or her consumption of an alcoholic beverage may have impaired his or her ability to operate a motor vehicle must take alternative transportation. Impairment of ability to drive a motor vehicle is not solely dependent on being under the legal alcohol limit for a given state, but also on an individual's ability to drive safely.



No driver who has engaged in conduct prohibited in the CFR, part 382, shall perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements set forth by the FMCSA CFR subpart 40.

No driver tested under the provisions of CFR part 382, who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions for an employer, including driving a commercial motor vehicle, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

Medical Marijuana

The FMCSA along with Borsuk Transport do not accommodate the use of medical marijuana by DOT safety-sensitive employees.

Drug and Alcohol Clearinghouse

Beginning January 6th, 2020, the FMCSA has implemented a drug and alcohol clearinghouse program. Within this clearinghouse program, Borsuk Transport is required to conduct a preemployment query on all new hires prior to an official hire date and an annual review of drug and alcohol history for all current drivers employed by the company.

In addition, you as a driver will be required to register within this program so you have access to your records and can dispute any information that may not be accurate. Along with this, MRO (medical review officers) will be required to submit to the clearinghouse any positive drug results that a CMV driver may have. Also, if you test positive, per the federal regulations, you are required to see an SAP (substance abuse professional). Your SAP will be required to submit the required completion documents into the clearinghouse program as well.

Per CFR part 382.601 the following regulations apply to the clearinghouse:

The requirement that the following personal information collected and maintained under this part shall be reported to the Clearinghouse:

- (i) A verified positive, adulterated, or substituted drug test result.
- (ii) An alcohol confirmation test with a concentration of 0.04 or higher.
- (iii) A refusal to submit to any test required by subpart C of this part.
- (iv) An employer's report of actual knowledge, as defined at §382.107:



- (A) On duty alcohol use pursuant to §382.205.
 - (B) Pre-duty alcohol use pursuant to §382.207.
 - (C) Alcohol use following an accident pursuant to §382.209; and
 - (D) Controlled substance uses pursuant to §382.213.
- (v) A substance abuse professional (SAP as defined in §40.3 of this title) report of the successful completion of the return-to-duty process.
 - (vi) A negative return-to-duty test; and
 - (vii) An employer's report of completion of follow-up testing.

Disciplinary Policy

It is the policy of the Company to take appropriate disciplinary action when employees are found to have violated company policies, procedures, work rules, safety rules or otherwise conduct themselves in an unprofessional or inappropriate manner.

Appropriate disciplinary action may involve progressive disciplinary measures; or may result in immediate termination of employment or contract (**at management's discretion**). Nothing in this policy changes the at-will nature of the employment relationship.

The Company's policies, procedures, and work rules outlined in this Safety Manual are not allinclusive and may be changed periodically at the company's sole discretion.

Procedures

Certain company policies and disciplinary actions are found throughout this handbook, while changes in policies are communicated through Company memos and other forms of communication. All employees are required to periodically sign copies of company policies, procedures, and or work rules, including environmental, safety, and fire prevention rules.

In general, disciplinary procedures are as follows:

- Verbal Warning
- Written Reprimand
- Final Written Reprimand
- Suspension of 3-5 days off without pay.
- Termination of employment or contract



*******Note depending on the circumstances and seriousness of the misconduct that the Company may, at its discretion, skip one or more steps altogether. All disciplinary actions are at Managements discretion.**

Separation from Employment

In all cases of voluntary resignation (one initiated by the employee); employees are asked to provide a **written** notice to their manager at least 10 working days in advance of the last day of work. The written notice must include the reason for resignation and the last day the employee plans to work.

Return of Company Property Upon Separation Policy

Borsuk Transport employees and or contractors may be issued company property (tablets/ELOGs, clothing, fuel cards, logs, truck keys, BOL's etc.). Each employee is expected to take proper care of any company-provided equipment, tools, uniforms, or other property. Any such property must be returned in good repair.

If damage has occurred through no fault or negligence on the employee or s' part, the company will bear the cost of repair or replacement.

If loss or damage was due to fault or negligence, the employee will be required to reimburse the company for the cost of repair or replacement, either through payroll deductions or other means, per applicable state laws. Where state law does not allow recovery through these means, the company may initiate legal action for the loss or damage.

Maintenance Procedures

Borsuk Transport will follow the guidelines set forth in Part 396 of the federal regulations for our Planned Maintenance Program as well as:

1. We will follow the guidelines of the equipment manufactures' schedule of maintenance for said vehicles but no less than every 25,000 miles.
2. Our company inspects all equipment every 45 days. These inspections are above and beyond the annual inspections required by DOT. These inspections are to identify and repair common wear and tear of tires, brakes, alignment etc.

PART 396

Inspection, Repair, and Maintenance

Every Driver is required to systematically inspect, repair, and maintain all commercial motor vehicles under his/her control. It is the policy of Borsuk Transport for each driver to conduct proper inspections of equipment at the start and end of each day. If found in violation of this



policy, disciplinary actions, retraining and or termination of employment will occur. The guidelines for this process are listed below:

- Operators will fill out the electronic DVIR (DRIVER VEHICLE INSPECTION REPORT) Inspection report within the current ELD program, both Pre- and Post Trip inspection, on all equipment 10,001 lbs. GVW and larger, including the trailer being pulled, if applicable.
- At the beginning and end of each day, all drivers are required to perform a thorough inspection of the vehicle and complete all fields on inspection form.
- Any DVIR that has a defect(s), the driver recording the information must contact their immediate supervisor upon completion of the inspection so that corrective action can be taken on the items noted.
 - Only those problems associated with the safe operations of the vehicle should be recorded on the DVIR. All other problems identified should be reported to the maintenance department.