DRIVER EMPLOYEE HANDBOOK

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**INTRODUCTION**

The provisions of this Employee Handbook are intended to give our employees (also referred to as “you” or “driver”) an overview of the current policies and procedures related to your employment with Railcrew Xpress (also referred to as “we”, “RCX” or the “Company”).

This Employee Handbook is not an express or implied contract of employment, and is not intended to and should not be construed as altering the at-will employment relationship. Unless your employment is governed by a collective bargaining agreement, employment with the Company is considered to be “at-will”, and accordingly may be terminated by you or by the Company at any time, for any reason, without prior notice. No manager, supervisor, or employee has the authority to recognize a collective bargaining agent or representative, enter into a collective bargaining agreement, or make an employment contract other than one that is at will, unless it is in writing and by the Company President and/or CEO.

Policies may vary based on your location or department. Your supervisor/manager will notify you of any policies specific to your location or department. If you are uncertain about any policy or procedure, or have any questions about this Employee Handbook, please contact your manager or the Human Resource Department.

**CHANGES IN POLICY**

This handbook supersedes all previous employee manuals, handbooks, and memos on subjects addressed in this handbook. Since the employee handbook is based on operational policies and procedures and the requirements of federal and state rules and regulations which are subject to change, this handbook must also be subject to change. Therefore, the Company reserves the right to change, modify, suspend or cancel any of the policies and procedures described at any time.

You may view this Employee Handbook online at [www.railcrewxpress.com](http://www.railcrewxpress.com) or you may contact your supervisor/manager to review a copy.

**MISSION STATEMENT**

At Railcrew Xpress, we assist America's railroads and other entities to better serve the nation, by providing safe and reliable crew transportation, while conducting ourselves in a manner that promotes fairness, respect, and consideration for all our stakeholders, including employees, customers, suppliers and shareholders.

The goal of Railcrew Xpress is to provide safe, dependable transportation services, and to perform these services efficiently. The safety standards of this company will not be compromised, subordinated or diminished by any other goal or challenge.
CRITICAL SAFETY RULES
RCX has identified the following as Critical Safety Rules which will enable you to provide safe and reliable service. As a driver, you are responsible for the safety of all passengers in the van as well as yourself, the safety of all persons working around the van, customer’s property, the general public, and company property. An employee, who violates a RCX Critical Safety Rule will be subject to accelerated corrective action up to and including immediate termination of employment.

Adhere to all Railroad Crossing Safety Rules
Drivers will be working around railroad tracks and trains every workday. The following key points will help keep you, your passengers and other RCX and customer employees safe when crossing railroad tracks.

Key Points
1. When approaching a railroad crossings on public road ways and highways:
   a. Move to the right-hand lane
   b. Turn on 4-way flashers 100 feet before the railroad crossing
   c. Reduce speed and turn your radio off
   d. Be Prepared to stop if tracks are in use
   e. Look for trains, railroad crew, etc. in both directions - left, right, left
   f. Open each front window and listen for an approaching train
   g. Proceed when safe to do so clearing all tracks quickly
2. When approaching a railroad crossing on railroad property:
   a. Turn on 4-way flashers 100 feet before the railroad crossing
   b. Reduce speed
   c. Prepare to stop safely
   d. Stop completely at least 15 feet before the crossing
   e. Look for trains, railroad crews, etc. in both directions - left, right, left
   f. Open each front window, turn the radio down and listen for a train
   g. Proceed when safe to do so clearing all tracks quickly
3. If the vehicle gets stuck on a railroad track:
   a. Exit the vehicle with your passengers immediately!
   b. Move a safe distance away from the vehicle
   c. Call 911
   d. Call the Railroad (phone number is located on the back of your e-railsafe badge, or on the cross buck or on the switch cover), advising them of your specific location.

Complete Your Pre-trip Inspection
The pre-trip inspection is critical to the driver safety, the safety of our passengers, the general public and RCX business operations.

Pre-trip inspections should be completed on the RCX vehicle assigned at the beginning of the driver’s shift or trip. Upon completing the pre-trip inspection any condition that is found to be unsafe or of concern should be documented and the supervisor or manager contacted. If after discussion, the vehicle is deemed to be unsafe, the supervisor or manager will place the vehicle out-of-service.
Another RCX Vehicle may be assigned to the driver and a pre-trip inspection will be required to be completed on the newly assigned vehicle.

Upon completion of the shift or trip, the driver should make note of any issues or incidents that occurred with the vehicle during that shift or trip. Additionally, the vehicle should be fueled and left clean for the next shift or trip. In certain locations a post-trip inspection must be completed as well. Your supervisor will inform you if there are post-trip inspection requirements for your location.

The driver should not operate a vehicle that has been placed OOS, regardless of how quickly they have been asked to pick-up a client.

Comply with Hours of Service (HOS) and Fatigue Management
All drivers are responsible for maintaining their Hours of Service and ensuring they are rested and prepared to drive during the shift or assigned trip. The applicable HOS regulations are:

- **15 hours on duty**
  No driver may be on duty for more than 15 hours after 8 consecutive hours of rest; only 10 of these hours can be driving.
- **10-hour driving limit**
  No driver may drive for more than 10 hours after 8 consecutive hours of rest.
- **70 hours / 8 days**
  No driver may be on duty for more than 70 hours within an 8-day period.
  - This includes any employment outside of RCX; combined hours worked with ALL employers may not exceed the 70-hour limit. It is driver’s responsibility to comply and apprise their supervisor or manager of their worked hours outside of RCX employment.
- **8-hour Off-Duty Period**
  A driver must have eight (8) consecutive hours off duty between on-duty periods to rest and avoid fatigue. Employees may at their discretion request, through their supervisor or manager, special consideration of an additional two (2) hour off-duty period for a total of 10-hours off duty.

Drivers are responsible for managing their HOS and fatigue to ensure they are operating in a safe manner at all times. You are expected to be rested and job-ready prior to your scheduled shift or during your availability on the dispatch board. If you are unable to take or complete an assigned shift or trip, it is the driver’s responsibility to alert their supervisor or manager prior to the shift or becoming available on the dispatch board. A pattern of missed shifts or availability on the dispatch board may be subject to corrective action up to and including termination.

Don’t Foul the Tracks
Our customers define “fouling the track” as occupying any area within four (4) feet of the nearest rail of a railroad track. This is a critical safety rule that will ensure that the driver and vehicle are operated within and around railroad tracks in a safe manner.

No vehicle or driver should be within four (4) feet of the outside rail of the railroad tracks. To estimate this distance, place your arm straight out from the shoulder where the fingers are touching the side mirror on the vehicle and raise your opposite arm straight out, if it extends over the outside rail, you are too close and are fouling the track.
When required to drive or stop the vehicle adjacent to the railroad tracks you should be at least 8 feet from the closest rail or the railroad tracks. This will ensure the vehicle is a safe distance from the railroad tracks, avoiding “fouling the tracks”.

Any accident or incident involving vehicle contact with a train will result in immediate termination of employment.

**Mandatory Use of Seat Belts**

Drivers and all passengers are required to wear seat belts at all times during the operation of a RCX vehicle.

As a driver, you must ensure that you are wearing the seat belt properly, including the shoulder harness. If you require a seat belt extender you are to notify your supervisor or manager so that it can be provided to you.

It is the responsibility of the driver to ensure that all passengers are properly wearing their seat belts at all times when the vehicle is in operation. The driver should not move the vehicle until he and all passengers are properly buckled-up.

**No use of any type of electronic device while operating a RCX vehicle**

We recognize that distractions occur during driving. However, eliminating the use of electronic devices, such as cell phones, GPS, tablets, hands-free communication devices, etc…., while driving minimizes the risk of accidents. Therefore, you should stop your vehicle in a safe location to use any electronic device.

Drivers are prohibited from using a cell phone, hands-free communication device, or other electronic device while driving a RCX vehicle, whether the business conducted is personal or company related. This includes receiving or placing calls, text messaging, surfing the internet, receiving or responding to e-mail, checking voice mail, use of an electronic smoking device, etc

**Report all accidents immediately after the accident occurred**

Report all accidents, incidents or injuries, regardless of how minor they appear to Dispatch immediately. Failure to report an accident or incident or providing false information related to an accident or incident may result in immediate termination of employment. For your protection and the protection of the company, whenever possible, file a police report for all accidents involving another vehicle or if there is a crew on board.

The company defines an accident as: 1) a fatality involved 2) bodily injury to a person 3) one or more vehicles, equipment or property incurring damage as a result of the event. An incident is defined as all other vehicle events, including but not limited to animal hits, road debris, wind door damage, etc.

Following an accident, you may be temporarily removed from service to review the cause of the accident, how to prevent the accident in the future and to receive additional training. All accidents will be reviewed to determine chargeability to the driver based on company policy, driver behavior, tenure, and safety history, etc.

All chargeable accidents may be reviewed by the Safety Committee and if a determination is made that the accident was a result of a safety violation, the driver may be released from employment. Non-
chargeable incidents or accidents may also be reviewed by the Company to determine if a violation of company policy has occurred.

Any accident or incident involving vehicle contact with a train will result in immediate termination of employment. An accident arising from backing a vehicle with passengers on board will result in termination unless the driver asked the crew to depart from the vehicle.

A driver may file an appeal on the accident or incident chargeability determination within 30 days of the event. The driver should contact the Risk Management Department at 913-928-5008 to file an appeal. All appeals will be reviewed by the Safety Committee.

**Speed Management**
Your life and the lives of your passengers depend on your ability to maintain control of the vehicle. Drivers are expected to follow RCX speed management guidelines at all times. These guidelines include:

1. Under normal conditions follow all posted speed limits.
2. Operate your vehicle at reduced speed for conditions during adverse weather or traffic congestion.
3. Follow any Company directive on speed restrictions.

**Stop Backing Accidents – If in doubt, Get Out and Look (GOAL)**
There are no backing maneuvers with passengers on-board any RCX vehicles.

Drivers should make every effort to avoid operating a vehicle in such a manner that would require a backing maneuver. Backing a vehicle is not encouraged and contrary to our goal of providing safe, dependable transportation services, and to perform these services efficiently. Backing should be isolated exceptions to the operation of the vehicle, and backing should only occur when there is no other reasonable alternative.

When the situation requires a backing maneuver, and there are passengers in the vehicle, due to an emergency or when complying with the no-backing policy would create a greater risk to the safety of the passengers, the driver must inform the passengers of the need for the backing maneuver.

When transporting BNSF or CSX passengers, do not back without asking the passengers to spot for you while you perform the backing maneuver. If the passengers decline, contact local railroad management for instructions on how to proceed. If you are unable to make radio-contact with the railroad don’t back the vehicle. If a passenger volunteers to spot for you, remember prior to beginning the backing maneuver, review and agree upon the hand and arm signals to be used during backing.

An accident arising from backing a vehicle with passengers on board will result in termination unless the driver asked the crew to depart from the vehicle.
OPERATING RULES

SAFETY of you and your passengers is your primary responsibility; you need to take whatever steps are necessary to assure a safe trip or shift. The following rules have been established to assist you in completing this objective and your assigned trip or shift without incident. **SAFETY Is The Most Important Aspect Of Our Service.**

Some of the more serious infractions that subject an employee to corrective action up to and including termination from employment are outlined here. However, it is not feasible to list all possible infractions of acceptable human and business conduct. Therefore, RCX reserves the right to investigate and take appropriate action for unacceptable conduct even though the offense is not listed specifically in the rules and regulations.

1. Drivers must adhere to all state and/or federal driving laws.
2. All baggage or any other gear is to be secured behind the rear seat cargo net or divider. Loose objects should not be allowed in the passenger compartment as they pose a safety hazard. Verify that the cargo net webbing behind the rear seat, where applicable, is secure and in place at all times.
3. It is your responsibility to keep the railroad radio turned on and tuned to the proper channel. The railroad may need to contact you while in route to change your original dispatch.
4. Keep headlights turned on for safety, whether it is day or night.
5. The use of personal cell phones, CB radios and/or radar detectors is strictly prohibited. If there is an emergency the driver is required to pull over to a safe area prior to using a cell phone to request help or assistance.
6. The transportation of railroad crewmembers is allowed only in RCX vehicles and never in a personal vehicle. There are no exceptions.
7. No employee will drive a vehicle (with or without passengers) while his/her ability or attentiveness is impaired through fatigue, illness, or other causes.
8. Motor vehicles must be operated in a safe manner regardless of the urgency or importance of the trip. You must adjust your driving according to traffic, weather, and road conditions.
9. No containers of combustible liquid or fuel are allowed in a Company vehicle or within any compartment of a Company vehicle under any circumstances. This is an extreme hazard due to vapors, possible spillage, and fire.
10. RCX drivers should not assist the railroad crewmember with loading his/her personal effects into a vehicle unless directed by the customer’s management within a specific location. Removing the luggage from the train for crewmembers is prohibited.
11. Drivers should open, hold and secure the doors or assist in any other similar capacity when crew members are entering and exiting the vehicle.
12. You are not to be distracted from driving by such things as eating, drinking, electronics, etc.
13. You should park the vehicle in the safest, most accessible location closest to the train or the crew pick-up/drop-off point. You should take into consideration walking conditions, surfaces and ability to avoid backing when positioning the vehicle. When possible, stop the vehicle off any public roadways.
14. No unauthorized passengers or unauthorized personal use in the RCX vehicle. The company will take appropriate action to recover the costs of any unpaid tickets or use of company vehicle.
15. Crew or other unauthorized people are never allowed to drive a company vehicle. If you are unable to complete an assigned trip or shift, you are required to pull over to a safe area and contact Dispatch. Dispatch will make arrangements to complete the trip or shift.
16. When parking, ensure to place the vehicle in park, apply the parking brake, turn the key to the off position and remove the key from the ignition.

Radio Use
Radios provided in the company vehicle are to be used only to assist in finding crew members or to receive pick up instructions. Any employee operating a radio must do the following:

1. Before transmitting listen long enough to make sure the channel is not in use. Give the required identification.
2. The required identification for mobile units must include Company Name, i.e. Railcrew Xpress.
3. Unit # or words that identify the precise mobile unit.
4. Wait until acknowledgement is received to proceed with further transmission.
5. If there is continuous radio communication, without interruption, repeat the identification every 15 minutes.

Any employee who receives a transmission must repeat it to the person transmitting the message.

The employee transmitting must say “Over” to the employee receiving the transmission when communication is complete and a response is expected.

The employee transmitting must give the required identification and say “Out” to the employee receiving the transmission when the communication is complete and no response is expected.

- Employees must not use radio communication to avoid complying with any rule.
- Under no circumstance should the railroad frequency be used for communication between individual RCX vehicles.
- Employees must not transmit a false emergency or an unnecessary or unidentified communication.
- Employees must use appropriate language over the radio.
- Employees must not reveal the existence, contents, or meaning of any communication (except emergency communications) to person other than those it is intended for, or those whose duties may require knowledge.
- Employees must not use the radio to give information to a train or engine crew about name, position, aspect, or indication displayed by a fixed signal, unless the information is needed to warn of an emergency.

Employees should refrain from communicating via the radio while the vehicle is in motion. Employees should pull off the road and safely stop the vehicle before using the radio.

Vehicle and Company Property
RCX is committed to investing and implementing technology to better serve our customers. This technology is designed to aid and further enhance the safety of our drivers and its passengers, as well as comply with client requirements. In addition, the company will provide you with certain Company owned property to help you perform your job duties.

Using any company property or equipment (company vehicle, cellular phones, phone accessories, toll passes, fuel or credit cards, direct bill accounts, etc) for personal use is against company policy. In addition, all employees are responsible to ensure the following:
• The equipment is used and handled in a professional manner that safeguards the equipment from damage
• Immediately report any problems with the equipment or property to your supervisor/manager
• Prior to the start of a trip or shift ensure any and all technology is in working order, including checking that in-vehicle camera views are not obstructed
• RCX issued phones are exclusive to each RCX vehicle and should not be used for personal use or removed from assigned vehicle
• RCX issued Garmins are exclusive to each RCX vehicle and not to be removed from assigned vehicle.
• Do not attempt to unplug, turn-off, damage and/or remove equipment (or any part of the equipment) without the express documented permission from the Director of Fleet or Fleet Technology Manager.

All company property must be returned upon change in employment status or termination from employment. RCX will take all available steps to recoup costs resulting from the inappropriate, personal, unauthorized, misuse, or failure to return company property.

Finally, employees have no right to privacy as to any information or items located on company property, vehicle, or items inside any item provided by the company. All company property, including desks, vehicles, lockers, offices, etc are subject to search by the company at any time.

**Fuel**
Drivers will be issued a fuel card in your name with a private fuel PIN. This card is to only be used to fuel RCX vehicles and is not authorized for personal use. All authorized fuel transactions are limited solely to the refueling of company vehicles with 87 octane regular unleaded fuel OR regular unleaded fuel with no greater than 10% Ethanol blend. No other fuel transactions are authorized.

At the discretion of RCX, fuel purchasing may be limited only to authorized vendors. You are required to follow RCX directions for utilizing the authorized vendors.

You are to not share your PIN with anyone and must report if your PIN is compromised or card is lost or stolen to your supervisor or manager immediately to have a new fuel PIN and/or fuel card re-issued.

RCX will take all available steps to recoup costs resulting from the inappropriate or unauthorized use of the company fuel card.

**Road Driver Availability**
Road drivers are free to do whatever they want while on the board (not on a trip) as long as they ensure they can safely perform their job duties when they are called for duty. If you will not be available to provide service, contact your supervisor or manager so that a back-up driver can be found.

A driver provided phone number is a requirement for road drivers and must be maintained during your employment. You should respond to all calls and telephone messages as soon as possible. All changes to your phone number should be reported to Dispatch.
Wait/Assist Time
Drivers are responsible to ensure that all wait time for a BNSF location has been approved. To accomplish this, the driver should contact Dispatch every 90 minutes during an assist, to notify Dispatch of the reason for the continued assist and to request additional wait time as needed.

Yard/MPV Driver Availability
Employees not dispatched on a move/trip, should remain in the assigned location until given an assignment from authorized personnel. Drivers should be ready to start work at their appointed time. Drivers should not leave their shift prior to the relief driver arriving. If your relief does not arrive as scheduled, contact your supervisor or manager.

During a Trip
- Drivers should arrive at the pick up location at the scheduled pick up time.
- Trip changes can only be authorized by Railroad Management (not the crew) and the driver must report to Dispatch any changes to the trip.
- The driver is responsible to ensure you are loading the correct crew.
- You are responsible to notify Dispatch of any time delays of more than 30 minutes.
- You are responsible to provide the company with all trip event information, including odometers, wait time, start and stop times, etc at the conclusion of the trip.
- You should contact Dispatch immediately if you are unable to complete the assigned trip (ie. vehicle breaks down, accident, illness, etc)

EMPLOYMENT POLICIES AND PRACTICES

At Will Policy
Unless your employment is governed by a collective bargaining agreement, your employment is “at-will” and accordingly, may be terminated by you or RCX at any time for any reason with or without notice. Further no manager, supervisor, employee has the authority to recognize a collective bargaining agent or representative, enter into a collective bargaining agreement, or to make an employment agreement other than one that is at will, except the President of the Company and then only in writing.

Translation of Handbook
If you have difficulty reading or understanding any of the policies or procedures in this handbook, please contact the Human Resource Department at 877-928-5046. We will make assistance available for anyone who is unable to understand the Company’s policies.

Newsletter
The best way to stay up to date on all company or policy change is through our newsletter. It is important that you read the newsletter which is available on the employee portal at www.railcrewxpress.com.

Verification of Status
Railcrew Xpress is required by law to employ only those individuals who are legally authorized to work in the United States. The Company follows all local, state and federal regulations and procedures regarding eligibility for employment.
The Immigration Reform and Control Act of 1986 requires each new employee to complete the Employment Eligibility Verification Form I-9 and provide documentation establishing identity and employment eligibility. Former employees who are rehired must also complete an I-9 if they have not completed one within the past three years, or if their previous I-9 is no longer retained or valid.

If you have a question about immigration laws, employment eligibility or compliance with this law, you may contact the Human Resource Department at 877-928-5046.

**Minimum Age Requirements**
All employees in a driving position must be at least 21 years of age. You may be asked to provide proof that you are at least 21 years of age at any time.

**Notice of Investigative Consumer Reports**
In connection with your employment, the Company has ordered or will order a consumer report. This means that a “consumer report” and/or an “investigative consumer report” may be requested which may include information regarding your character, general reputation, personal characteristics and mode of living, whichever are applicable. The report may also contain information related to your criminal history, credit history, motor vehicle records, such as driving records, social security verification, present and former addresses, verification of education or employment history or other background checks. This may include personal interviews with sources such as neighbors, friends or associates. These reports may be obtained at any time after receipt of your authorization, and throughout your employment.

If RCX considers any information in the consumer report when making an employment related decision (initial hiring, retention, transfer or promotion) that directly and adversely affects you, you will be provided with a copy of the consumer report before the decision is finalized and you will also be provided a written summary of your rights under the Fair Credit Reporting Act. The employee has the right to dispute any inaccurate information on the consumer report.

**Railroad Access**
All employees with access to Railroad property are required to submit to a criminal background check and complete Railroad security training/testing. Employees must satisfactorily complete the background review and security training/testing to be allowed access to Railroad property. All criminal background reports are subject to review and approval by the Railroad’s Resource Protection Services.

Additionally, every two (2) years a recertification including a new criminal background check is performed to ensure employees continue to be eligible for access to the Railroad property.

**License Requirements**
All employees who have driving responsibilities are required to maintain a valid driver license in the state of their primary residence. A current copy of your state issued driver license must be on file in order to operate a company vehicle.

In addition, all employees with driving responsibilities must maintain a safe driving record (as outlined below) as a condition of employment and continued employment. Employees are required to notify the Company of any change in the Motor Vehicle Record (MVR). The Company may monitor license changes or violations electronically and will run additional MVR’s throughout your employment to ensure driver license standards are maintained.
The following moving violations within a three (3) year period will disqualify you from a driving position:

- A drug or alcohol related conviction
- A careless, reckless or failure to control driving conviction
- Two (2) moving violations
- Auto theft conviction
- Suspended, revoked, or expired driver license

Your supervisor or manager will notify you if your position requires any additional licensing, certification, qualifications or testing. It is the driver’s responsibility to acquire and retain any state required license certifications. This policy will apply to the extent not prohibited by state law. In the event that state law imposes requirements that conflict or would be in addition to the requirements in this policy, state law would apply.

**Physicals**
Department of Transportation Physicals are required for drivers in certain locations. Recertification is normally required every two years to ensure employees continue to be eligible to drive a company vehicle.

**Personnel Records**
You are responsible to keep your employment records up to date. You must notify the Human Resource Department of any changes regarding address, telephone number, name, emergency contact, tax withholdings, etc. The information can be sent directly to the Human Resource Department at:

- Fax - 913-928-5072 or
- E-mail - driverfiles@railcrewxpress.com or
- Phone 877-928-5046 or
- Given directly to your supervisor/manager

If you would like to review your personnel file or receive a copy of all documents within your personnel file, a signed written request must be submitted to the Human Resource Department. Files can be viewed at the Corporate Office or a copy can be mailed to you. RCX reserves the right to charge for copying and mailing fees. The Human Resource Department can notify you of the amount of the charge.

**Equal Employment Opportunity**
Railcrew Xpress provides equal employment opportunities to all employees and applicants without regard to race, color, citizenship status, national origin, ancestry, gender, sexual orientation, age, religion, creed, disability, marital status, pregnancy, veteran status, genetic information, or any other factor that may become protected by law.

Employment decisions are based on merit and business needs. We are committed to the principles of equal employment opportunities for all applicants and employees. All employment decisions regarding recruitment, selection, hiring, compensation, benefits, training, advancement, discipline, discharge, layoff, return from layoff, and other terms, conditions and privileges of employment, are based on individual qualifications, merit and competence.
Americans with Disabilities Act
It is our policy to not discriminate against qualified individuals with regard to any aspect of their employment because of an individual’s disability or perceived disability so long as the employee or applicant can safely perform the essential functions of the job. We are committed to complying with the American with Disabilities Act (ADA) and its amendments. Consistent with our policy of nondiscrimination, the Company will provide reasonable accommodations to a qualified individual with a disability, as defined by the ADA and its amendments, who has made the Company aware of his/her disability, provided that such accommodation does not constitute an undue hardship or cause a direct threat to workplace safety of the Company.

Employees with a disability who believe they need a reasonable accommodation to perform the essential functions of their job must contact the Human Resource Department at 877-928-5046. Requests are not to be made to a supervisor or manager. Upon receipt of an accommodation request, the Human Resource Department will meet with you to discuss and identify precise limitations resulting from the disability and the potential accommodation that the Company might make to allow you to perform your job duties.

Individual’s requesting an accommodation must cooperate fully with the process. This includes meeting with the Human Resource Department, supporting requests for medical information, including providing any required HIPAA consent, and proving relevant information to support the request.

Employees who refuse to accept a reasonable accommodation that is effective will be expected to fully perform all the essential job functions of their position. Applicants who refuse to accept an effective reasonable accommodation will have his/her application from employment withdrawn from consideration. Failure to meet expectations of the position and the same expectations and standards expected from all employees in the same position may result in corrective action up to and including termination.

An employee or applicant who has questions regarding this policy or believes that he/she has been discriminated against based on disability should notify the Human Resource Department at 877-928-5046. All such inquiries or complaints will be treated as confidential to the extent permissible by law.

Health and Safety
The safety and health of our employees is a priority. We make every effort to comply with all federal and state workplace safety requirements. You are expected to obey safety rules, exercise caution and common sense in all work activities, and report unsafe conditions or practices to your supervisor or manager. If you become aware of any issues that may affect your ability to safely perform your assigned duties contact your supervisor or manager immediately. If the issue is not resolved after reporting it to your supervisor or manager you should notify the Human Resource Department at 877-928-5046.

Seniority
Railcrew Xpress is committed to recognizing seniority in each of our locations and operations. In order to determine seniority the company uses last hire date. If more than one employee has the same date of hire in a location and job position, seniority will be determined by the employee’s month and then day of birth.

Seniority will be used to award open shift assignments in the employee’s location.
Seniority will be used during lay-off situations when there are no active disciplinary steps in the employee’s personnel file.

Seniority will not be considered in a Road Driver’s rotation position for dispatching trips. It will not be used to award promotions or application for a different position that requires a different skill set and duties.

Transfer Policy
Railcrew Xpress recognizes that a desire for career growth and other needs may lead an employee to request a transfer to another position or location. An employee with proper qualifications will be eligible for consideration for transfer as determined by company needs, available openings, and management approval. The employee’s new rate of pay will be determined by the position and or location he/she transferred into.

Corrective Action
It is the responsibility of the Company to make reasonable work-related rules and regulations pertaining to conduct, safety, job performance, attendance, and production. It is the responsibility of employees to maintain regular attendance and acceptable job performance and to follow all work-related rules.

The Company generally follows the corrective action steps listed below. However, depending upon the nature and seriousness of the employee’s action, corrective action may begin at any step of the process, including termination without prior notice. The steps are outlined as a general guideline but are not intended to bind the Company to follow any particular procedure.

1st Corrective Action Step - Coaching Notice
The supervisor or manager will discuss the infraction with the employee and remind the employee of the importance of abiding by the work rule(s). This should include an explanation of the policy and why it is important to the company to abide by the work or safety rule. A written record of the conversation will be documented by the supervisor or manager and sent to the Human Resource Department to be placed in the employee’s personnel file.

2nd Corrective Action Step - First Written Notice
The supervisor or manager will discuss the repeated and/or serious infraction(s) with the employee and remind the employee of the importance of abiding by the work rule(s). The goal of this meeting is to obtain the employee’s agreement to improve in the future. A written record of the conversation will be documented by the supervisor or manager and sent to the Human Resource Department to be placed in the employee’s personnel file.

3rd Corrective Action Step - Final Written Notice
The supervisor or manager will discuss the serious and/or pattern of unacceptable conduct with the employee. In addition, the supervisor or manager will specify the consequences of failure to remedy the behavior may result in termination of employment. In connection with issuing a Final Written Notice, a supervisor or manager may also suspend the employee to impress upon the employee the seriousness of his/her actions.

4th Step - Termination of Employment
If an employee continues to be unable or unwilling to abide by work rules or have proven unsuccessful and another policy or process violation arises, the employee may be terminated.

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addition, serious violations of policy and procedure may subject the employee to immediate termination.

As a general practice, if no further performance infractions occur for 90 days, the corrective action process may begin again at the Coaching Notice, depending upon the behavior. In appropriate circumstances, a supervisor or manager may choose to repeat one or more foregoing steps depending upon the particular circumstances.

**Issue Resolution**

Railcrew Xpress is committed to providing a pleasant and professional work environment. However when a group of people work together, personal conflicts and complaints may happen. In such cases the following issue resolution procedure may be utilized:

1. The employee should first contact his/her supervisor or manager as soon as it occurs to discuss the issue in an effort to find resolution.
2. If no resolution has been found, the employee may discuss the issue with the next manager in the chain of command.
3. This procedure will continue until there is a resolution or until the issue reaches the President/CEO. The President/CEO will be the final step in the issue resolution process.

We want to assure a fair and prompt decision with regard to any employee issue or problem. When using this procedure, if you have reason to believe that any supervisor or manager is trying to deny you a fair and impartial decision, you may go directly to the next manager in the chain of command.

**Employee Help Line**

All Corporate departments can be reached via the Driver help line at 877-928-5046.

**Suggestions**

Railcrew Xpress encourages all employees to bring forward their suggestions about making Railcrew Xpress a better place to work and enhancing service to our customers. RCX believes that an “Open Door Policy” encourages employees to not only voice a concern, but also take the initiative to make suggestions that can enhance the service to our customers and improve safety and overall performance in our day-to-day operations.

Any employee who sees an opportunity for improvement is encouraged to talk to their supervisor or manager. RCX supervisors or managers will facilitate bringing concerns, ideas and suggestions to the attention of either other departments or the Executive Team to review, approve and implement.

All suggestions are valued. However, implementation of suggestions will be approved and implemented within the confines of RCX contractual obligations, cost considerations, and which promote a safe and professional work environment.

**COMPANY POLICIES AND PRACTICES**

**Serious Infractions**

The purpose of company policies and practices are to ensure a safe and desirable work environment. The following policies have been established to assist you in completing your work without incident. All employees are expected to abide by all company policies and practices.
Some of the more serious infractions that subject employees to corrective action up to and including termination of employment are outlined here. However, it is not feasible to list all possible infractions of acceptable human and business conduct. Therefore, this list is merely a guideline, and is in no way intended to be all-inclusive. Any additional policies required by our customer in your location will be provided by your supervisor.

1. Falsification of Company records or engaging in other fraudulent acts.
2. Unauthorized removal, damage to, or destruction of Company property/equipment, or that of clients or other employees.
3. Unauthorized entry or use of Company or Clients facilities or property.
4. Fighting or engaging in horseplay or other acts likely to cause bodily injury or interference with Company obligations.
5. Disregard for safety policies, procedures, reporting requirements, and/or proper use of safety gear, equipment, or involvement in vehicular or personal accidents indicating an unacceptable pattern of incidents.
6. A chargeable accident which results in substantial material damages or loss of human life.
7. Failure to immediately report an accident and/or injury according to prescribed procedures.
8. Possession of firearms, items considered weapons or explosives within Company or on client property.
9. Possessing, consuming, or being under the influence of intoxicants or illegal drugs during working hours.
10. Interference with Company operations.
11. Deliberate misrepresentation of Company policies or procedures.
12. Use of abusive, obscene, or threatening language to supervisors, other employees, client’s passengers or client’s management.
13. Leaving assigned work location without permission.
14. Failure to show up for an accepted assignment or shift.
15. Refusal to submit to a drug and/or alcohol test.
16. Intimidation or coercion of other employees, supervisors, client’s passengers, or client’s management.
17. Violation of the Company’s policies against discrimination and harassment.
18. Inappropriate use (illegal, fraudulent, unethical, harmful to company, nonproductive or in violation of established policies) of electronic correspondence including but not limited to system applications, internet, remote access, monitoring, instant messaging, file storage, computer viruses, user accounts and passwords, Copyrights and License agreements, web browsers, etc.
19. Theft of company or customer property.
20. Banned from property, transporting client’s employees, or communicating with client employees.

Customer Service
The culture at RCX demands that high quality customer service be delivered at all times. Occasionally you may have to deal with difficult people. It is your responsibility to respond in a courteous, positive and professional manner. All commitments made to other people should be met within the appropriate specified time frame. If you are faced with a situation concerning a crew member or a co-worker that you believe you cannot handle contact your supervisor or manager or the Human Resource Department at 877-928-5046 for assistance.

Examples of Customer Service include, but not limited to:
- Operating RCX equipment in a safe manner
• Assuring that client employees are treated with respect and dignity
• Reliability
  o Answering/returning phone calls, e-mails or other forms of communication timely
  o Covering your shift when scheduled
• Maintaining a clean professional appearance
• Performing your duties in a safe and consistent manner

Customer Service is a performance expectation. Customers include client management, client employees, co-workers, vendors and all others that you come in contact with while representing RCX as an employee.

Customer or safety complaints of unsafe driving will be investigated and if appropriate corrective action will be taken. Repeated, excessive or serious customer or safety complaints can result in termination of employment without previous warning. RCX clients reserve the right to approve or ban an individual from their property, interacting or transporting their employees.

Job Performance
All employees are required to perform their job duties at a satisfactory level. Failure to perform job duties as normally required by the Company or at a satisfactory level may be addressed through the Company's corrective action policy.

Anti-Discrimination/Harassment Policy
It is the Company's policy to maintain a work environment free from all forms of unlawful discrimination and harassment. The Company is committed to enforcing the Anti-Discrimination/Harassment Policy.

Harassment on the basis of protected class or status is strictly prohibited. Under this policy harassment is conduct that shows hostility or aversion toward an individual because of his/her race, color, religion, sex, age, national origin, gender, marital status, sexual orientation, ancestry, pregnancy, disability, genetic information, or any other characteristic protected by law.

Harassment is defined as a behavior that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive work environment. Harassment refers to behavior which is not welcome, personally offensive, which weakens moral and which therefore interferes with the employee’s effectiveness and the desired work environment.

Harassment may include but not limited to any of the following:

- Verbal abuse or ridicule. This includes epithets, derogatory comments, slurs or unwanted sexual advances, invitations, or comments.
- Interference with an employee’s work. This includes physical contact such as assault, blocking normal movement, or interference with work directed at an individual because of his/her sex or other protected class or status.
- Displaying or distributing sexually offensive, racist or other protected class or status materials. This includes derogatory posters, cartoons, drawings or gestures.
- Discriminating against any employee in work assignments or job related training.
- Intimate physical contact.
- Making sexual, racial or other protected class or status innuendos.
- Demanding favors (sexual or otherwise), explicitly or implicitly, as a condition of employment, promotion, transfer or any other term or condition of employment.
- Retaliation for having reported harassment.
- Malicious rumors or gossip of an illegal harassing nature.

Any conduct of the type described above is prohibited and corrective action, including possible termination of employment, will be taken if such conduct is found to have occurred. As a condition of employment, all employees are required to cooperate and participate in any internal investigation.

If you believe you or any other employee has been the subject of illegal harassment by anyone including but not limited to your manager, co-worker, client, vendor or visitor, you should immediately report the incident to the Human Resource Department via the Employee Hotline at 877-928-5046. All questions or complaints will be handled in a sensitive and professional manner.

Any employee who in good faith, reports an alleged incident or who has provided information in connection with a complaint of harassment/discrimination will under no circumstances be subject to reprisal or retaliation of any kind. However, any employee found to have knowingly made a false accusation of harassment or retaliation may be subject to appropriate corrective action up to and including termination of employment.

**Family Members**

Immediate family members (for purposes of this policy is defined as spouse, parent, child, sibling, in law, grandparent, members of the household or individuals involved in a romantic relationship) may not be hired if the employment will create a) a supervisor/subordinate relationship with a family member b) the potential for an adverse impact on work performance or c) either an actual or appearance of a conflict of interest.

If employees become an immediate family member as defined above, the Company will determine if the change in relationship creates one of the situations outlined above. If it does, the Company will attempt to find a suitable position to which the employee may transfer, provided the position is open and they are qualified for the position. If this is not available or feasible, the employees will be permitted to determine which one will resign. If the employees cannot make the decision, the Company will determine who will remain employed.

**Controlled Substance/Alcohol Testing**

It is our goal to provide a drug-free, healthy, and safe workplace. To promote this goal, employees are required to report to work in appropriate condition to perform their jobs in a satisfactory and safe manner.

You are required to immediately submit to controlled substance and/or alcohol testing at any of these times:
- Pre-employment
- Random
- Immediately following an accident or incident
- Reasonable suspicion*
- Post-leave
- Fitness for duty
* Reasonable suspicion means that RCX management may request controlled substance screening/alcohol testing whenever they suspect that an employee may be working with or reporting to work with an impaired ability.

No employee may use, possess, distribute, sell, or manufacture alcohol or any illegal drug on or in Company or customer property (including work locations, sidings, and vehicles owned or operated by RCX) or on Company time. Working while under the influence of a controlled substance or alcohol is also strictly prohibited, even if consumed off-duty or off-location. No employee shall report for duty or perform a safety-sensitive function when using a controlled substance, except when prescribed by a physician who has deemed that the substance will not adversely impact the employee’s ability to safely perform their job functions.

Illegal drugs are drugs or controlled substances which are illegal under federal, state or local law or controlled substance which either are not legally obtained or are legally obtained but obtained or used in an illegal or inappropriate manner (including prescription drugs not prescribed for the individual who consumes them, prescription drugs used for a purpose or manner not intended by the prescriber, and over-the-counter drugs used for a purpose or in a manner not intended by the manufacturer).

RCX test for alcohol, amphetamines, marijuana (cannabinoid metabolites), opiate derivatives (heroin, morphine, codeine), cocaine metabolites, phencyclidine (PCP), and nitrates. RCX utilizes urine and saliva collection methods for testing controlled substances. For alcohol testing, the company utilizes saliva and breath alcohol collection methods. Saliva collection shall be conducted by a supervisor or manager. Any urine collection, breath alcohol testing or confirmation testing will be collected by an independent clinic and testing will be conducted by a licensed laboratory.

Pending receipt of a test results, RCX may take any of the following actions: suspend the employee (with or without pay), place the employee on a leave of absence (with or without pay), allow the employee to work on a conditional basis, or any other action at the Company’s discretion.

A positive controlled substance or alcohol test will result in immediate termination of employment. Failure to immediately submit to a test will be treated the same as positive test. The employee has the right to request written test results for any positive test. In addition, upon request, the employee will be given the opportunity to explain a positive result in a confidential setting.

If a test is returned as diluted, the employee must submit to a new test within 24 hours of being notified of the result. The employee should refrain from liquid for three hours prior to the second test. If the second test comes back diluted, the employee will be deemed medically unqualified and shall not be offered or continue employment.

To ensure the safety or all employee and clients, drug and alcohol convictions within the last 3 years will deem the individual unqualified to operate a company vehicle and the individual shall not be offered or continue employment.

This policy will apply to the extent not prohibited by state law. In the event state law imposes requirements that conflict with or would be in addition to the requirements included in this policy, state law will apply. In addition, this policy is designed to safeguard employee privacy rights to the fullest extent of the law. All testing results will remain confidential. Test results may be used in arbitration, administrative hearings and court cases arising as a result of the testing. Results will be sent to federal or states agencies as required by law.
Attendance
Every employee of Railcrew Xpress is expected to report for work on a regular basis, at times established as the work day. Employees are expected to be at their work station/pick up location in a fit condition and ready to work at the starting time. Work activity should commence at starting times and continue until the normal designated stopping times.

To eliminate fault as a basis for determining whether an absence or tardiness is excused or unexcused, this no-fault system has been established. Disciplinary action may be required and will be based on frequency of occurrences in accordance with the following:

1. Absenteeism is defined as being absent from work on any scheduled workday or failing to respond or refusing a trip assignment, even though the employee has notified the company. Each period of consecutive absence will recorded as “one occurrence” regardless of the number of days’ duration.
2. Tardiness will be considered as reporting to work within 10 minutes of the scheduled starting time. One occasion or tardiness will be charged as one-quarter of an absence occurrence.
3. Employees reporting more than ten minutes after the scheduled starting time will be considered late. Employees who report to work late or who leave before the end of shift (without management approval) will be charged with one-half of an absence occurrence for either of these events.
4. In the event of an absence or tardiness from an assigned work schedule, the employee is required to report the absence to the company. When reporting an absence, the employee must notify his or her supervisor. The employee must call within 2 hours of the scheduled start time.
5. Absence records will be maintained for a consecutive 12 month period, starting with the employee’s first occurrence of absence. All absence records and warning notices which are one year or older shall not be considered for purposes of disciplinary action under this policy.
6. Corrective discipline will normally be administered according to the following:
   a. Three occurrences within a 12 month period: Verbal Warning
   b. Five occurrences within a 12 months period: Written Warning
   c. Seven occurrences within a 12 month period: Second Written Warning
   d. Twelve occurrence within a 12 month period: Termination
7. In the event an employee is absent for three or more days without prior notice or approval, such absence is considered job abandonment. The employee is then separated from employment as a voluntary quit.
8. Absence due to bereavement leave, military duty, approved vacations or holidays, approved leave of absences, and work-related injury leaves, will not be recorded as an occurrence of absence for purposes of disciplinary action.
9. PTO and/or vacation time will be applied for all absences.

Violence in the Workplace
The Company is concerned about the increased violence in society, which has also filtered into many workplaces throughout the United States. As a result, it is our policy to expressly prohibit any acts or threats of violence by any employee or former employee. The Company will not condone any acts or threats of violence against employees, customers, or visitors on Company premises at any time or while they are engaged in business with or on behalf of the Company, on or off Company premises.
This includes, for example, threats or acts of violence, aggressive behavior, offensive acts, threatening or offensive comments or remarks, etc. Specific examples of conduct, which may be considered threats or acts of violence include, but are not limited to, the following:

- Hitting, shoving or threatening to hit or shove an individual
- Threatening an individual or his/her family, friends, associates, or property with harm
- Intentional destruction or damage or threatening to destroy or damage Company property
- Making harassing or threatening telephone calls
- Harassing surveillance or stalking an individual
- Possession of a handgun, firearm, knife or other weapon of any kind, regardless of whether the individual is licensed to carry the weapon, on Company or Client property or while at work
- Malicious rumors or gossip

The Company’s prohibition against threats and acts of violence applies to all individuals involved in Company business including but not limited to all Company personnel, clients, vendors, or visitors.

Under no circumstances may employees possess or use any licensed or unlicensed firearms, explosive devices or any other type of weapon while on Company or client premises.

Compliance with this policy is a condition of employment. Employees who violate any of its term, who engage in or contribute to violent behavior, or who threaten others with violence may be subject to corrective action up to and including immediate termination of employment.

Every verbal or physical threat of violence should be treated seriously and should be reported immediately to your supervisor or the Human Resource Department at 877-928-5046.

**Smoking and Tobacco Policy**
No smoking or tobacco use of any kind, including electronic cigarettes, is permitted inside any Railcrew Xpress facility or vehicle. Other tobacco products are banned from RCX facilities and vehicles too. As with smoking, tobacco use can lead to distracted driving and unsanitary conditions.

Smoking may take place only in designated smoking areas outside RCX facilities and vehicles or as permitted on client property.

**Dress Code**
You are expected to maintain a neat and clean appearance at all times. Clothing that is stained, frayed, or holey is not acceptable. Clothing should not be overly tight or revealing. Drivers are not allowed to wear shirts with inappropriate graphics or language. In addition due to safety concerns, drivers should not wear open-toed shoes, shorts, skirts or dresses.

**Computer/Information Systems**
The use of Railcrew Xpress technology equipment, including computers, tablets, smartphones, fax machines, wireless hot spots and all forms of Internet/Intranet access, is for Railcrew Xpress business and is to be used for authorized purposes only. Electronic communication should not be used to solicit or sell products, distract coworkers, or disrupt the workplace.

Use of Railcrew Xpress computers, networks, and Internet access is a privilege granted by management and may be revoked at any time for inappropriate conduct including, but not limited to
- Sending chain letters
- Engaging in private or personal business activities
• Misrepresenting oneself or Railcrew Xpress
• Engaging in unlawful or malicious activities
• Using abusive, profane, threatening, racist, sexist, or otherwise objectionable language in either public or private messages
• Sending, receiving, or accessing pornographic materials
• Causing congestion, disruption, disablement, alteration, or impairment of Railcrew Xpress networks or systems
• Installing unauthorized software/hardware
• Removing of any preinstalled software/hardware
• Contracting computer viruses, Trojans, spyware, etc
• Infringing in any way on the copyrights or trademark rights of others
• Using recreational games
• Defeating or attempting to defeat security restrictions on Railcrew Xpress systems and applications.
• Viewing, streaming or downloading movies, videos or music that does not have a business purpose and that you have not been directed by your supervisor or manager for business or training purposes.

Using Railcrew Xpress technologies to create, view, transmit, or receive racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory entity. Such material violates the Railcrew Xpress anti-harassment policies and is subject to disciplinary action. Railcrew Xpress's electronic mail system must not be used to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way.

Ownership and Access of Electronic Mail and Computer Files
Railcrew Xpress owns the rights to all data and files in any computer, network, or other information system used at Railcrew Xpress. Railcrew Xpress reserves the right to monitor computer and e-mail usage, both as it occurs and in the form of account histories and their content. Railcrew Xpress has the right to inspect any and all files stored in any areas of the network or on any types of computer storage media in order to assure compliance with this policy and state and federal laws. Railcrew Xpress will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual computer and e-mail activities. Railcrew Xpress also reserves the right to monitor electronic mail messages and their content. Employees must be aware that the electronic mail messages sent and received using Railcrew Xpress equipment are not private and are subject to viewing, downloading, inspection, release, and archiving by Railcrew Xpress officials at all times. No employee may access another employee’s computer, computer files, or electronic mail messages without prior authorization from either the employee or an appropriate Railcrew Xpress official. Railcrew Xpress has licensed the use of certain commercial software application programs for business purposes. Third parties retain the ownership and distribution rights to such software.

No employee may create, use, or distribute copies of such software that are not in compliance with the license agreements for the software.

Confidentiality of Electronic Mail
As noted above, electronic mail is subject at all times to monitoring, and the release of specific information is subject to applicable state and federal laws and Railcrew Xpress rules, policies, and procedures on confidentiality. Existing rules, policies, and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software. Since there
is the possibility that any message could be shared with or without your permission or knowledge, the best rule to follow in the use of electronic mail for non-work-related information is to decide if you would post the information on the office bulletin board with your signature. It is a violation of Railcrew Xpress policy for any employee, including supervisors and managers, to access electronic mail and computer systems files to satisfy curiosity about the affairs of others. Employees found to have engaged in such activities will be subject to disciplinary action.

Message Tone for Electronic Mail

Users are expected to communicate with courtesy and restraint with both internal and external recipients. Electronic mail should reflect the professionalism of Railcrew Xpress and should not include language that could be construed as profane, discriminatory, obscene, sexually harassing, threatening, or retaliatory. It is recommended that using all capital letters, shorthand, idioms, unfamiliar acronyms, and slang be avoided when using electronic mail. These types of messages are difficult to read.

Electronic Mail Tampering

Electronic mail messages received should not be altered without the sender’s permission; nor should electronic mail be altered and forwarded to another user and/or unauthorized attachments be placed on another’s electronic mail message.

Policy Statement for Internet/Intranet Browser(s)

This policy applies to all uses of the Internet, but does not supersede any state or federal laws or Railcrew Xpress policies regarding confidentiality, information dissemination, or standards of conduct. The use of Railcrew Xpress automation systems is for business purposes only. No personal use is acceptable.

Use is defined as "excessive" if it interferes with normal job functions, responsiveness, or the ability to perform daily job activities. Examples of inappropriate use are defined in "Inappropriate Use of the Internet/Intranet". Managers determine the appropriateness of the use and whether such use is excessive. The Internet is to be used to further Railcrew Xpress' mission, to provide effective service of the highest quality to Railcrew Xpress' clients and staff, and to support other direct job-related purposes. Supervisors and managers should work with employees to determine the appropriateness of using the Internet for professional activities and career development. The various modes of Internet/Intranet access are Railcrew Xpress resources and are provided as business tools to employees who may use them for research, professional development, and work-related communications. Limited personal use of Internet resources is a special exception to the general prohibition against the personal use of computer equipment and software. Employees are individually liable for any and all damages incurred as a result of violating Railcrew Xpress security policy, copyright, and licensing agreements.

All Railcrew Xpress policies and procedures apply to employees' conduct on the Internet, especially, but not exclusively, relating to: intellectual property, confidentiality, Railcrew Xpress information dissemination, standards of conduct, misuse of Railcrew Xpress resources, anti-harassment, and information and data security.

Inappropriate Use of the Internet/Intranet

Use of Railcrew Xpress computer, network, or Internet resources to access, view, transmit, archive, or distribute racist, sexist, threatening, or otherwise objectionable or illegal material is strictly prohibited. "Material" is defined as any visual, textual, or auditory item, file, page, graphic, or other entity. Such material violates Railcrew Xpress's anti-harassment policies and is subject to Railcrew
Xpress disciplinary action. No employee may use the Railcrew Xpress's Internet/Intranet facilities to deliberately propagate any virus, worm, Trojan horse, trap-door program code, or other code or file designed to disrupt, disable, impair, or otherwise harm either the Railcrew Xpress' networks or systems or those of any other individual or entity. Railcrew Xpress' Internet/Intranet facilities and computing resources must not be used to violate the laws and regulations of the United States or any other nation or any state, city, province, or other local jurisdiction in any way. Use of Railcrew Xpress resources for illegal activity can lead to disciplinary action, up to and including dismissal and criminal prosecution.

**Internet/Intranet Security**
Railcrew Xpress owns the rights to all data and files in any information system used in Railcrew Xpress. Internet use is not confidential and no rights to privacy exist. Railcrew Xpress reserves the right to monitor Internet/Intranet usage, both as it occurs and in the form of account histories and their content. Railcrew Xpress has the right to inspect any and all files stored in private areas of the network or on any types of computer storage media in order to assure compliance with this policy and state and federal laws. Railcrew Xpress will comply with reasonable requests from law enforcement and regulatory agencies for logs, diaries, archives, or files on individual Internet activities. Existing rules, policies, and procedures governing the sharing of work-related or other confidential information also apply to the sharing of information via the Internet/Intranet. Except for the Web pages produced by Railcrew Xpress, Railcrew Xpress does not control Internet content and makes no general effort to limit Internet access.

**Computer Repair/Maintenance/Upgrading/Downgrade**
Railcrew Xpress owns all automation systems, including computers, fax machines, and all forms of Internet/Intranet access therefore all Repair, Maintenance, Upgrading, or Downgrade must be conducted by Railcrew Xpress Information Technology Department or by a preauthorized base by Railcrew Xpress Information Technology Department. All unauthorized Repair, Maintenance, Upgrading or Downgrade preformed on Railcrew Xpress Equipment will not be reimbursed and you could be subject to disciplinary action up to and including termination of employment. Railcrew Xpress offers a remote utility to access your assigned system for diagnostic and repair to help optimize the speed at which your system can be repaired. Railcrew Xpress assumes no liability for any loss or damages to user’s data on Railcrew Xpress equipment. All computer-related purchases must be placed by the Railcrew Xpress Information Technology Department.

**Social Media**
We understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else’s web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with Railcrew Xpress, as well as any other form of electronic communication. The same principles and guidelines found in our policies and three basic beliefs apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects members, customers, suppliers, people who work on behalf
of RCX or RCX’s legitimate business interests may result in disciplinary action up to and including termination.

*Know and follow the rules*
Read the Discrimination & Harassment and Anti-Violence policies and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

*Be respectful*
Always be fair and courteous to fellow employees, customers, members, suppliers or people who work on behalf of Railcrew Xpress. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage customers, members, employees 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 on the basis of race, sex, disability, gender, sexual preference, age, religion or any other status protected by law or company policy.

*Be honest and accurate*
Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about Railcrew Xpress, fellow employees, members, customers, suppliers, people working on behalf of RCX or competitors.

*Post only appropriate and respectful content*
- Maintain the confidentiality of RCX trade secrets and private or confidential information. Trades secrets may include information regarding the development of systems, processes, products, know-how and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications.
- Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities. Such online conduct may also violate the Insider Trading Policy.
- Do not create a link from your blog, website or other social networking site to a Railcrew Xpress website without identifying yourself as a Railcrew Xpress employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for Railcrew Xpress. If Railcrew Xpress is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of Railcrew Xpress, fellow employees, members, customers, suppliers or people working on behalf of Railcrew Xpress. If you do publish a blog or post online related to the work you do or subjects associated with Railcrew Xpress, make it clear that you are not speaking on behalf of Railcrew Xpress. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of Railcrew Xpress.”
Using social media at work
Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with the Company policy. Do not use RCX email addresses to register on social networks, blogs or other online tools utilized for personal use.

Retaliation is prohibited
RCX prohibits taking negative action against any employee 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.

Media contacts
Employees should not speak to the media on Railcrew Xpress’ behalf without contacting the President/CEO. All media inquiries should be directed to the President/CEO.

COMPANY WAGE AND BENEFIT POLICIES
The Company reserves the right to modify, suspend or cancel any benefit program.

Payroll
RCX complies with all applicable laws regarding the payment of wages to its employees. The Company is required to keep an accurate record of hours worked by each non-exempt employee. For this purpose, drivers are required to time in immediately prior to doing any work for the Company and accurately record all time spent working. No Driver should do any work for the benefit of the Company prior to timing in or after timing out.

The Company defines a work day from 12:01 am to 12:00 am. For purposes of calculating overtime, the pay week is from Sunday at 12:01 am to Saturday at 12:00 am. Payroll periods are bi-weekly and the pay date is every other Tuesday.

You will be paid by direct deposit, pay card, or check. Payroll checks/stubs will be mailed to your home address on file. A statement listing information about your earnings, taxes and other deductions is available at www.railcrewxpress.com.

The Company is required by law to make certain deductions from your paycheck. Among these are federal, state and local income taxes and contributions to Social Security. These deductions will be itemized on your check stub. The amount of the deductions may depend on your earnings and on the information you furnish on your W-4 Form regarding the number of dependents/exemptions you claim. Any change in name, address, telephone number, marital status or number of exemptions requires completion of updated W-4 Form to ensure proper credit for tax purposes.

RCX may charge an administrative fee on all qualified garnishments. The administrative fees vary by state. An acknowledgement letter will generally be sent when the garnishment is received to notify you of the garnishment and associated fees.

We will make every effort to provide a correct and accurate payroll. However, if you have any questions regarding your paycheck, you should contact your supervisor or manager. If your issue is not immediately resolved contact the Payroll Department at 877-928-5046. In addition any payroll discrepancies (working off the clock, being told to work off the clock, not paid hours accurately, or not paid overtime accurately) should be reported to the Human Resource Department immediately if not resolved.
Workplace Injuries
The Company may provide Workers’ Compensation or similar workplace injury insurance for job-related injury or illness, consistent with state law. Employees in the State of Texas are covered under the Texas Injury Benefit plan for any workplace injuries or illnesses.

If you experience a work-related injury or illness (no matter how minor) you must immediately notify your supervisor or manager, unless it is an emergency, then dial 911 and notify your supervisor or manager when the emergency has passed. In some jurisdictions, failure to immediately report your workplace injury may keep you from obtaining benefits.

If you have any questions regarding your workplace injury or illness, you should contact the Risk Management Department at 913-928-5008.

Leave of Absence
The Company will grant Family and Medical Leave (FMLA) in accordance with the requirements of applicable state and federal law in effect at the time the leave is granted. In addition, company policy allows for eligible employees to take up to twelve weeks of unpaid leave per rolling year for the adoption or foster care of a child (with 30 days notice), or serious health condition of self, spouse, parent, or child. Employees are eligible if they have worked for RCX for at least one year and have worked 1250 hours over the previous twelve months. A medical certification is required to verify eligibility for a leave.

If an employee fails to return upon expiration of the leave, the employee will be terminated from active status. The only exception will be as required by law such as to accommodate an individual with a disability where a reasonable extension of time off as a personal leave (if approved), would constitute a reasonable accommodation to enable the employee to perform the essential job functions of his/her job.

If requested leave is available under multiple leave policies, the leaves will run concurrent. Questions regarding a leave of absence should be directed to the Human Resource Department at 877-928-5046.

Service Member Caregiver & Family Leave
Service member FMLA provides eligible employees with additional unpaid leave entitlement for any one of the following:

- A “qualifying exigency” arising out of a covered family member’s active duty or call to active duty in the Armed Forces and/or:
- To care for a covered family member who has incurred an injury or illness in the line of duty while on active duty in the Armed Forces provided that such injury or illness may render the family member medically unfit to perform duties of the member’s office, grade, rank, or rating.

The length of the leave if due to a “qualifying exigency” is up to 12 workweeks of unpaid leave during any 12 month rolling period of time.

The length of the Service Member leave if to care for an injured or ill Service Member may be up to a maximum of 26 work weeks of unpaid leave.
All leave must run concurrently with any other federal, state or local leave entitlement. If you have any questions you should contact the Human Resource Department at 877-928-5046.

**Uniformed Services Employment and Reemployment Rights Act (USERRA)**

The Company is committed to compliance with USERRA and accordingly will grant a leave of absence for military service, training or related obligations. Employees will be required to provide documentation for the leave and should submit military orders to their supervisor or manager.

During your military leave, the Company will continue any elected benefits through the end of the month in which your leave is initiated. Employees may elect to continue coverage for up to 24 months while on military leave but maybe required to pay all of the premium for the continued coverage.

At the conclusion of the leave, the Company will return the employee to the position they held prior to the leave or to a position that is comparable.

**Time Off**

Employees may occasionally need time off from work to address other matters regulated by state law. The Company will comply with these requirements, where necessary and regulated by state law. Time off provided that is regulated by state law is unpaid unless otherwise required.

If requested leave is available under multiple leave policies, the leaves will run concurrent. Questions regarding a leave of absence should be directed to the Human Resource Department at 877-928-5046.

**Jury Duty**

Upon receipt of the notice to serve jury duty, you must notify your supervisor or manager. The employee shall provide a copy of the notice to serve and a signed Certificate of Jury Service indicating the number of days served.

The Company will compensate you in accordance with applicable state law. The Company may require you to report to work any day you are excused early from jury duty.

**Bereavement Leave**

Employees are eligible for bereavement leave upon hire. In the event of the death of a spouse, de facto spouse, child, grandchild, parent, grandparent or sibling RCX will grant leave with pay not to exceed one (1) benefit day. RCX will consider extenuating circumstances, if additional time off is needed. The employee will provide documentation of the death if requested.

**Holidays**

Employees that are required to work the company recognized holidays will be paid a $25.00 premium. This is over and above the regular wages to be paid for hours worked on the following holidays:

- New Year’s Day
- Easter
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving
- Day after Thanksgiving
- Christmas

**Paid Time Off (PTO)**

Drivers will accrue paid time off (PTO) each pay period, beginning immediately upon hire and awarded upon the employee’s anniversary date. The purpose of the PTO policy is to allow employees to accrue time away from the job for personal needs such as vacation, sick time, personal appointments, etc. The accrual will be based off of the number of hours you have worked during the pay period. The accrual table is:

<table>
<thead>
<tr>
<th>Years of Continuous Employment</th>
<th>Accrual Percentage</th>
<th>FT Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3 years of completed employment</td>
<td>2%</td>
<td>1 week</td>
</tr>
<tr>
<td>4-10 years of completed employment</td>
<td>4%</td>
<td>2 weeks</td>
</tr>
<tr>
<td>11+ years of completed employment</td>
<td>6%</td>
<td>3 weeks</td>
</tr>
</tbody>
</table>

A Driver must be employed a minimum of one (1) consecutive year prior to using PTO hours. Only accrued and earned PTO hours from the prior year can be used. An employee will not be able to use PTO hours which will put him or her in a negative PTO balance.

Employees must submit their PTO request 14-days in advance for approval to their supervisor or manager. Supervisors and/or managers are responsible for ensuring that each location and department is staffed. Therefore, it will be the supervisor’s or manager’s discretion as to whether the PTO request is approved. Generally, first requests for a specific date will be honored.

The PTO policy is a use-it or lose-it policy. PTO will not be paid out in lieu of taking the time off. The only exception to the “use-it or lose-it” is if at the end of an employee’s anniversary year he/she has submitted a minimum of three requests to use their accrued available PTO and been denied each time by his/her manager. It is the responsibility of the employee to submit the documentation for pay-out of denied PTO usage.

Upon termination, for employees that have completed a minimum of one year of employment, awarded accrued PTO time will be paid out upon an employee’s termination. The unused PTO will be paid on the employee’s last payroll check.

**Benefit Programs**

Newly hired drivers will have the opportunity to enroll in company sponsored benefit programs the first of the month following 60 days of employment. In addition, open enrollment will occur annually to allow drivers to add family members (where applicable), choose to enroll in other benefit offerings or waive any of the benefit plans.

An employee is allowed to cancel their insurance at any time. Cancellations will be effective within the month of the cancellation. Employees wishing to cancel any or all of the benefits that they are enrolled in must provide written notification to the Human Resource Department.

Drivers that have a “Life Status Change” will be eligible to enroll into any of the benefit offerings within 30-days of the Life Status Change. Life Status Change is defined as: birth, adoption, marriage, legal separation, divorce, death of immediate family member that affects loss of benefits, employment status of employee or that of immediate family member that affects loss of benefits.
Employees can obtain information on the benefit offerings by contacting the Human Resource Department at 877-928-5046.

**COBRA**  
The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives eligible employees and their qualified beneficiaries the opportunity to continue health insurance coverage when a "qualifying event" occurs that would normally cause them to lose their benefit insurance coverage.

Examples of “qualifying events” include changing jobs due to resignation, termination, or death of an employee; a reduction in an employee's work hours; a leave of absence; employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

**Referral Program**  
In order to incentivize our current employees to recommend, mentor and ensure an excellent on-boarding process for new hires, RCX has developed the following referral bonus program:

- After the new hire has been finalized and worked for 30-days, the referring employee will be paid a $50 referral bonus.
- After the new hire has completed 60-days of employment the referring employee will be paid an additional $75 referral bonus.
- After the new hire has completed 90-days of employment the referring employee will be paid an additional $125 referral bonus.
- After the new hire has completed 180-days of employment the referring employee will be paid a final $250 referral bonus.

There are a few parameters around this bonus program. They are:
- The applicant must document the referring employee on the application and/or on the New Hire form.
- The referred employee must be actively employed, without interruption, throughout the first 180-days.
- The referring employee must continue to be actively employed during the process.
- Managers are not eligible for a referral bonus within the location or area that they manage.
- Re-hires to RCX do not qualify for a referral bonus.

All bonuses will be paid on the payroll that includes the time period in which the new hire reached one of the above employment dates.
Railcrew Xpress Handbook Acceptance

I have received, read and understand the policies and procedures outlined in the Railcrew Xpress Handbook. I understand the policies and information contained in it and agree to adhere to its provisions. If I have any difficulties understanding any portion of the Employee Handbook, I will seek clarification from my manager.

I further understand that employment with Railcrew Xpress is at will, unless my employment is governed by a collective bargaining agreement, and accordingly, my employment with the Company may be terminated by me or by the Company at any time, for any reason, without prior notice. The acceptance of this handbook should in no way be construed as an employment contract.

I understand that no manager, supervisor, or employee has the authority to recognize a collective bargaining agent or representative, enter into a collective bargaining agreement, or make an employment contract other than one that is at will, unless it is in writing and by the Company President and/or CEO.

Policies may vary based on your location or department. Your supervisor/manager will notify you of any policies specific to your location or department. If you are uncertain about any policy or procedure, or have any questions about this Employee Handbook, please contact your manager or the Human Resource Department.

______________________________
Signature

______________________________
Print Name

______________________________
Last 4 of Social Security Number

______________________________
Date