

PERSONNEL POLICY MANUAL

# INTRODUCTION

Miller’s Mowing Moving and More is labor (people) oriented. Therefore, the success and growth of this company, and of the industry is totally dependent upon well-trained, well-qualified and satisfied personnel.

It is the responsibility of each employee to read and understand this booklet. If anything is not clear to you please ask for an explanation. The Company retains the sole discretion to modify, delete or add to this handbook, in writing, at any time. When such amendments are made, each employee will be provided with a written statement of the amendment and will be required to acknowledge they have received and read the amendment. None of these policies or procedures can be amended, altered or modified in any way by oral statements, but can only be altered by a written statement issued by the president Miller’s Mowing Moving and More. This Handbook replaces and supersedes all previous handbooks and supplements to previous handbooks distributed by the Company and takes precedence over all memoranda or oral descriptions of the terms and conditions of employment. To avoid confusion, please discard any and all handbooks and manuals you may have.

# EMPLOYMENT POLICY – AT-WILL EMPLOYMENT

The Company’s employment policy is “at-will”. Under the “at-will” policy, neither you nor the Company is committed to continuing the employment relationship for any specific term. Rather, the employment relationship will continue at will. Either side may terminate the relationship at any time, with or without cause and with or without notice. Also, the Company retains the right to demote, transfer, change job duties, and change compensation at any time with or without notice and with or without cause in its sole discretion. In deciding to work for the Company, or continuing to work for the Company, you must understand and accept these terms of employment.

# EQUAL EMPLOYMENT OPPORTUNITY AND DISCRIMINATION POLICY

Miller’s Mowing Moving and More is an equal opportunity employer and makes employment decisions on the basis of merit, qualifications, potential and competency. We want to have the best available persons in every job. Company policy prohibits unlawful discrimination based on race, religion, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, marital status, age, physical or mental disability, genetic information or medical condition, except where physical fitness is a valid occupational qualification or any other consideration made unlawful by federal, state or local laws. All such discrimination is unlawful.

The Company is committed to complying with all applicable laws providing equal employment opportunities to individuals regardless of race, religion, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, marital status, age, physical or mental disability, genetic information or medical condition, except where physical fitness is a valid occupational qualification. This commitment applies to all persons involved in the operations of the Company and prohibits unlawful discrimination by any employee of the Company, including supervisors and co-workers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, the Company will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee unless undue hardship would result.

# REQUIREMENTS FOR EMPLOYMENT

The following are requirements for employment with Miller’s Mowing Moving and More :

1. Must have a valid Social Security Number;
2. Must complete a W-4 form;
3. Must complete a I-9 form;[[1]](#footnote-1)
4. Must have completed an employment application;
5. Must assure that you are in physical condition appropriate to perform the job for which you apply;
6. Must have appropriate documentation establishing your right to work in the United States in compliance with state and federal law.
7. Insurability - All employees must remain insurable under Miller’s Mowing Moving and More general liability insurance policy. If any employee is declared uninsurable by Miller’s Mowing Moving and More insurance company, the employee will immediately be considered ineligible for further employment and will be considered to have voluntarily terminated his/her employment as of the date of notification by the insurance company of uninsurability.
8. Drug and Alcohol Program - Miller’s Mowing Moving and More reserves the right to require drug and/or alcohol testing of any applicant or employee. The testing program supplements other means, such as personal observation, by which the use of drug and alcohol can be detected.
9. Prospective employees who will be required to drive [ either their own personal vehicle or Company vehicles] for Company business will provide the Company with current and acceptable motor vehicle driving information. Employment and assignment will be conditional pending the receipt of a satisfactory report from the State of Wyoming, Department of Motor Vehicles (DMV). Employees who drive either their own personal vehicle or Company vehicles as a part of their employment will be required to provide periodic updated reports from DMV.
10. Must maintain a valid State of Wyoming driver’s license and at least the minimum auto insurance as required by Wyoming law if using your personal vehicle for Miller’s Mowing Moving and More. The Company retains the right to transfer to an alternative position, suspend or terminate an employee whose license is revoked, who fails to maintain personal automobile insurance coverage or who is uninsurable under the Company’s policy.

# SENIORITY

New employees are to be considered of probationary status for the first thirty (30) days of work. At the conclusion of said period, an employee’s length of continuous service shall serve purpose for seniority.

# WORKMEN’S COMPENSATION AND UNEMPLOYMENT COMPENSATION

Employees are covered by State Workmen’s Compensation while on the job. (This does not extend to time driving to or from work). Further, State Unemployment Compensation covers employees for periods of unemployment. (http://www.wyomingworkforce.org/workers/ui/faq/#02)
Should an employee be dismissed from a job for reasons stated below, unemployment benefits can be denied:
1. Drunkenness.
2. Swearing or any abuse of a client or his/her property.
3. Undue abuse of company property and/or time.
4. Undue disrespect to superiors, or employer.
5. Excessive tardiness.
6. Leaving job site, or employment without just cause.
7. Refusing to fulfill the obligations of the assigned job.

# POLICIES AND REGULATIONS

Confidentiality

Employees will perform services for MILLER’S MOWING MOVING AND MORE which may require MILLER’S MOWING MOVING AND MORE to disclose confidential and proprietary information ("Confidential Information"). (Confidential Information is any information of any kind, nature, or description concerning any matters affecting or relating to Employee's services for MILLER’S MOWING MOVING AND MORE, the business or operations of MILLER’S MOWING MOVING AND MORE, and/or the products, drawings, plans, processes, or other data of MILLER’S MOWING MOVING AND MORE). Accordingly, to protect the MILLER’S MOWING MOVING AND MORE Confidential Information that will be disclosed to EMPLOYEE, the EMPLOYEE agrees as follows.

A. EMPLOYEE will hold the Confidential Information received from MILLER’S MOWING MOVING AND MORE in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others.

B. EMPLOYEE will not disclose or divulge either directly or indirectly the Confidential Information to others unless first authorized to do so in writing by MILLER’S MOWING MOVING AND MORE.

C. EMPLOYEE will not reproduce the Confidential Information nor use this information commercially or for any purpose other than the performance of his/her duties for MILLER’S MOWING MOVING AND MORE.

D. EMPLOYEE will, upon the request or upon termination of his/her relationship with MILLER’S MOWING MOVING AND MORE, deliver to MILLER’S MOWING MOVING AND MORE any drawings, notes, documents, equipment, and materials received from MILLER’S MOWING MOVING AND MORE or originating from its activities for MILLER’S MOWING MOVING AND MORE.

E. MILLER’S MOWING MOVING AND MORE shall have the sole right to determine the treatment of any information that is part or project specific received from EMPLOYEE, including the right to keep the same as a trade secret, to use and disclose the same without prior patent applications, to file copyright registrations in its own name or to follow any other procedure as MILLER’S MOWING MOVING AND MORE may deem appropriate.

F. MILLER’S MOWING MOVING AND MORE reserves the right to take disciplinary action, up to and including termination for violations of this agreement.

\*\*\*\*\* Please note any information regarding a customer (address, phone number, etc.) shall be considered confidential and must not be shared.

Established work hours:
There is not a normal workday. The workweek will normally consist of Monday through Thursday but is not limited to those days. The day starts when scheduled by management (usually 7:45 am). Pay begins upon clocking-in at the shop or with your supervisor, and is terminated upon clocking-out, after completing the daily schedule and any additional work at the shop.

\*\*\*\*\* Please note that we prefer you to report approximately 5 - 10 minutes early so we can schedule you to a crew and so you are ready to start promptly on time.
Overtime regulation:
Generally the standard workweek is Monday to Thursday. Hours in excess of forty (40) during a one-week period are considered “overtime”. Payment for the same shall be made at one and a half (1 1/2) times the employees’ hourly rate.
Reporting to work:
Employees are to report to work and “clock-in” at the company shop. Hours of pay do not include travel to and from the shop. Also, all employees must “clock-out” at the end of the day before leaving.
Rainy Days:
Employees will be notified at least 30 minutes prior to the start of a normal workday whether work will be scheduled for the day.
Lunch period & Break Time:
Lunch breaks are not schedule for any certain time during the workday. Lunch will be no more than 30 minutes. The employee will not be paid during their lunch break. Employees will be given periodic bathroom breaks during the workday when it is appropriate and necessary.

**IMPORTANT:** It is important that all workers carry lunches and drink, as the job schedule does not supply adequate time for lunch at restaurants. Do not leave lunch debris on client’s property, in vehicles, or in and around the shop. Place debris in receptacles provided for the same.

**IMPORTANT:** It is very important to stay hydrated while working. It is recommended that you use a Hydration Pack of some sort.

Technology:

Only emergency phone calls are to be made or received on Company time.[[2]](#footnote-2) If you must make a personal call, please do so while on your break. At times it may be necessary for your coworkers to get a hold of you with your phone so keep your phone on. Your phone may be used to play music while working; however, due to safety concerns only use wireless earbuds that won’t have long wires that can get tangled in equipment and may be used in conjunction with other hearing protection.

In the interest of the safety of our employees and other drivers, Miller’s Mowing Moving and More employees are prohibited from using cell phones while driving on Company business and/or Company time. Personal and/ or company provided cell phones are to be turned off any time you are driving on Company business of Company time.

If your job requires that you keep your cell phone turned on while you are driving, you must use a hands-free set (a telephone with a feature or attachment that allows you to engage in a call without the use of either hand except for purposes of activation, deactivation, or initiation of a function of the phone).

Please note that any citations an employee receives for improper use of a cell

ABSENTEEISM & TARDINESS
Any company’s productivity is directly related to the productivity of its employees. The two most significant causes of poor productivity are absenteeism and tardiness. Miller’s Mowing and More, therefore relies upon its employees to not only show up for work each day, but also to be on time.

Below is a policy list for absenteeism:
Any employee who feels he/she must miss a day of work for any reason, must call Jason at 307-575-5797 at least twelve hours before the start of the next work day. If it is an unexpected emergency or sickness that has happened within the twelve hours before work they must call one hour before he/she is scheduled to report.
Failure to call in absenteeism twice will be reason enough for dismissal.
Employees may be dismissed if they miss a day in the first two weeks, or three days per month afterward.

Examples of when absences for emergency reasons may be granted:

1. To be available the day a member of the immediate family has to have emergency surgery (not scheduled in advance).
2. To be available on the day of death of a member of an employee's immediate family when the employee has primary responsibility for arrangements.
3. To be available in the event of a major disaster involving an employee's personal property wherein the employee's immediate personal attention is required.
4. To be available in the event of sudden catastrophic illness or an accident involving injury to a member of an employee's immediate family wherein the employee's presence and prompt personal attention are required.

Examples when emergency time should not be granted

1. Consulting an attorney regarding personal business.
2. Awaiting the arrival of a home delivery or repairperson.

DISCIPLINARY ACTION
1st offense - a warning
2nd offense - a written notice
3rd offense - a written notice or possible dismissal
\*Certain employee actions / choices will automatically result in termination, such as using drugs and/or drinking alcohol the job, or offending a client.

DRIVERS OF COMPANY VEHICLES
Our insurance company requires us to update our drivers periodically. You are required to keep your license current. If you receive a driving citation while driving your personal vehicle or company vehicle, you must notify management immediately. The insurance company checks your record with the State police, so tell the truth. Drivers will not back a vehicle into a tight area (such as our driveway) without someone in the rear for guidance. All scratches, dents or other problems shall be reported to management no matter how minor the damage is. At the end of the day, all vehicles with less than one half a tank must be fueled. Also, all debris must be cleaned out by day’s end.

CLOTHING AND HYGIENE
It is a company policy that all employees wear appropriate work boots at all times. Also, at least one company shirts/sweatshirts/jackets/hat must be worn. Each employee must provide solid color shirt of their choice (T-shirt, Polo, Button up) to be monogramed with the company logo. Miller’s Mowing Moving and More will provide the monograming but the employee shall be responsible to provide the shirt of their choice. If you would prefer a ball cap or any other item that our machine cannot monogram you may select the item that you want and we will provide $10 to the cost of that item. Employees are expected to report to work neat & clean wearing an appropriate uniform. No clothing may have questionable, offensive, or profane expressions on them.

SAFETY
We desire to provide you with a safe place to work, and safe equipment to operate. We have been very fortunate that no one has been seriously injured. Each employee shall have access to gloves, glasses, goggles and ear protection. No employee is to operate any power equipment without proper safety equipment or clothing. Anyone found operating an edger, trimmer, hedge trimmer, etc. without proper eye protection will be disciplined. Also, anyone using large push blowers, hedge trimmers, etc. without proper ear protection will be disciplined.

If you are hurt on the job, report your injury to a supervisor immediately, so corrective measures may be taken and an injury report completed.

**Shorts:** Shorts are not allowed on the job to keep you safe.

**Shoes:** Open toe shoes are not allowed. Boots are preferred but tennis shoes are alright. Keep in mind this job will require a lot of walking.

**Smokers:** For the safety of all persons, smoking is prohibited except during breaks and while wearing anything with the company logo. This includes smoking in or near company vehicles. Fire safety is an application of common sense.

**Jewelry:** Earrings should be limited to studs only as hanging earrings can easily get snagged on equipment and/or trees, shrubs etc. Also, loose fitting jewelry should be kept inside of your clothes.

**Long hair:** Anyone with shoulder length hair or longer must keep their hair in a ponytail or under a hat.

Safety of others:
\*\*\*\*\* You should always be aware of fellow workers and pedestrians around you. Use common sense when operating power equipment at all times; this will limit potential problems.
Example 1.
Shut off or idle down power equipment when pedestrians are passing by.
Example 2.
Be aware of direction of discharged debris from edgers, trimmers, mowers, etc. when working in close proximity of other workers.

INTOXICATING BEVERAGES AND/OR DRUGS
Drugs or alcohol use during company time will result in IMMEDIATE DISMISSAL.
If an employee is perceived to be under the influence of drugs/alcohol at the beginning of the day by a supervisor, that individual will be sent home for the day. If this happens a second time, the employee will be DISMISSED- NO EXCEPTIONS.

# Resignation Policy

Although Miller’s Mowing Moving and More hopes that employment with the company will be a mutually rewarding experience, it is understood that varying circumstances do cause employees to voluntarily resign employment. Should this time come, employees are asked to follow the guidelines below regarding notice and exit procedures.

## Procedures

Notice of resignation. Employees are encouraged to provide two weeks’ notice to facilitate a smooth transition out of the organization. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

Form of resignation notice. All resignations must be confirmed in writing. Employees may wish to write a resignation letter stating the reason and date of resignation.

Resignation for failure to report to work. Employees who fail to report to work for three consecutive days without properly communicating to their supervisor or manager the reasons for their absence will be viewed as voluntarily resigning their employment as of the third day.

Rescission of resignation. Employees will not be allowed to rescind a resignation, whether given verbally or in writing, once the resignation has been confirmed by the employer. Employees who wish to discuss concerns about their continued employment before making a final decision to resign are encouraged to do so consistent with the organization’s retention program.

Eligibility for rehire. Employees who resign in good standing under this policy and whose documented performance is above average under the organization’s performance management system will be eligible for reemployment for a period of up to six months from the last date of employment, with benefits tied to seniority reinstated in full. Former employees will be considered for open positions along with all other candidates. Former employees who apply for reemployment after six months will be treated as new employees for purposes of seniority-related benefits.

Reporting of employee departures. All departing employees, regardless of the circumstances surrounding their departure, will be reported as a group on a monthly basis to all staff. Those with a need to know (e.g., supervisors up the chain-of-command, payroll, front desk, IT and security) will be advised of the last day of actual work for the company.

Employees who fail to return any company property, including keys, credit cards, tools, uniforms, cellular phones, laptops and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of Miller’s Mowing Moving More.

Forwarding address and final pay. Departing employees will be responsible to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Final pay will be mailed to this address by the next payday unless state law or other procedures dictate otherwise. Accrued but unused vacation will be paid out consistent with the company vacation policy and state law requirements.

1. Employment Eligibility Verification for Department of Homeland Security [↑](#footnote-ref-1)
2. "Emergencies" refers to that which imposes an immediate threat or risk to the health, life, or property. [↑](#footnote-ref-2)