

# neMarc Professional Services, Inc.



## Employee Handbook

6099 Mt. Moriah Extd., Suite 3 – I  
Memphis, TN 38115  
(901) 365-0500 (O)  
(901) 365-0587 (F)  
[nemarcstaffing@comcast.net](mailto:nemarcstaffing@comcast.net)

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## **Section 1. Introduction**

### **1.1. Purpose of this Handbook**

The purpose of this handbook is to familiarize you - the employee - with the policies, rules and other key aspects of neMarc Professional Services, Inc. (the "Company"). The information in this handbook supersedes all previous policy manuals. Compliance with this handbook is mandatory for all employees. The Company reserves the right to interpret this handbook's content as it sees fit, and to deviate from policy when it deems necessary.

- Employees are assigned to a contractual employment assignment.
- As an employee of neMarc, you are assigned to your work location as a contingent employee not the employee of the company in which you are assigned. All reporting of absence, tardiness, sickness must first be reported to neMarc. You are not to contact the supervisor/manager at your work location until you have contacted neMarc. We will make the initial call. If for some reason, you are not able to speak with an authorized member of neMarc's staff, please leave a message on our voice mail number at 901-365-0500 and send an e-mail to our e-mail address: [nemarcstaffing@comcast.net](mailto:nemarcstaffing@comcast.net) . It is at this time, you should call to let the supervisor at your assigned work place know that you will not report to work and the circumstances surrounding you not reporting. Any violation of this policy is grounds for immediate **TERMINATION**.

### **1.2 Changes of Policy**

neMarc Professional Services, Inc. reserve the right to change this handbook's content, at any time and at our sole discretion. Its provisions may not be altered by any other means, oral or written. You will receive written notice of any changes we make to the employee handbook, and are responsible for understanding and complying with all up-to-date policies. If you have questions about any information defined herein, please contact the **Carmen B. Brown @ (901)365-0500 and Ken Harris @ (512)632-2210**.

### **1.3 Employment Forms**

All new employees are required to complete and submit the following forms and documents. Starred (\*) forms can be found at the end of this manual. All others have been or will be provided separately.

#### ***At-Will Employment Agreement and Acknowledgement of Receipt of Employee Handbook \****

*neMarc's Application*

*W-4*

*Drug Screening Authorization Form*

*Background Check Authorization Form*

*Direct Deposit Authorization Form*

*I-9*

*Drivers License*

*Social Security Card*

Eligibility Verification Form I-9 and submit documents establishing identity and eligibility within the next three business days. The same policy applies to re-hired employees whose I-9's are over three years old or otherwise invalid.

## **Section 2. Terms & Definitions**

neMarc Professional Services, Inc. employs regular and temporary employees on an "at-will" basis. This section defines the terms of "at-will" employment, as well as the different types of employees we hire.

### **2.1 Definition of "At-Will" Employment**

The job of an "at-will" employee is not guaranteed. It may be ended, at any time and with or without notice, by the employee or, for a lawful reason, by the Company. The Company also reserves the right to alter an "at-will" employee's benefits, pay rate, and assignments as it sees fit. The "at-will" terms of an employee's employment may only be changed and approved by **Carmen Brown, CEO and Ken Harris, CFO**.

Tennessee is an "employment at will" state. This means the employer can legally hire, fire, or suspend any employee and an employee can quit at any time for any reason or no reason. However, there are some protections for employees, such as:

- Discrimination based on race, sex, religion, national origin, pregnancy, or disability
- Being a whistleblower
- Called into military service

### **2.2 Types of Worker**

This section distinguishes between the different types of workers the Company employs. Employee status is established at the time of hire and may only be altered via a written statement signed by the Company.

#### *Part-time vs. Full time Temporary*

Our temporary employees work a regular schedule, either on a full-time or part-time basis. To be considered full-time, our temporary must work 32 hours per week. Only full time temporaries are eligible for neMarc paid benefits.

#### *Regular vs. Temporary*

Regular employees work a regular schedule, either on a full-time or part-time basis. To be considered full-time, an employee must work at least 32 hours per week. A temporary employee is a person we hire for a short period (usually 3 months at maximum) to assist with a project or remedy a staff shortage. A temporary employee is also employed on an "at-will" basis (defined above).

## **Section 3. Payroll**

### **3.1 Payment Schedule**

Employees are paid every two weeks generally on every other Friday. In cases where the regular payday falls on a holiday, Employees will receive payment on the last business day before said holiday. The work week is defined as **Monday-Sunday**.

## Pay Period

All employees are paid bi-weekly. Direct Deposit is **required** for all neMarc employees. If an employee does not have direct deposit at the time of the job assignment, he/she will be given additional time to provide neMarc with a voided check or saving deposit slip or a pay card. If there are extenuating circumstances regarding our direct deposit, please contact Carmen Brown or Ken Harris for other options.

neMarc utilizes [www.viewmypaycheck.com](http://www.viewmypaycheck.com) for the employee to view their paycheck stubs and W-2. All employees are required to have a personal e-mail address to be used to access view my paycheck. All employees will receive an invitation via their e-mail address. It is always simpler if you use the same passcode to set up your file. It is the employee's responsibility to keep up with their paystubs and W-2 via the website. You are able to print your paystub(s) via this website. Our payroll department will provide the link to sign on.

Should an employee find a discrepancy with their pay check, please notify **or Ken Harris (512)632-2210** or at [Kharris47@austin.rr.com](mailto:Kharris47@austin.rr.com) for resolution.

## 3.2 Time-Reporting

Employees are responsible for maintaining their weekly time-sheet and obtaining the signature of the client supervisor at the end of each the work week. Signed time sheets must be sent electronically (**e-mailed to [kharris27@austin.rr.com](mailto:kharris27@austin.rr.com)** and copied to [nemarcstaffing@comcast.net](mailto:nemarcstaffing@comcast.net) the corporate office by **12 noon (CST) each Monday**. If a time card is not received by deadline, the employee will be given (1) courtesy phone call or e-mail as a reminder. The neMarc employee receives this one reminder "Only". If by next week the time card is not submitted on time, the employee may be short in his/her check for the pay period. Due to certain circumstance, exceptions can be made at the discretion of Ken Harris after speaking with the employee. Processed time cards will be maintained our payroll center for one year.

## 3.3 Wages

Wages vary from employee to employee and are based on their level of skill and experience and market pay levels.

In additional to regular pay, employees may have the option of earning overtime pay.

### *Overtime-Worked hours*

**Although Tennessee law doesn't address overtime, federal law does, and it applies to eligible employees. According to federal law, employees must get overtime pay of at least 1.5 times the employee's regular rate of pay if they work more than 40 hours per week (but not 8 hours per day).**

## 3.4 Deductions & Garnishment

Federal and state law requires that we deduct the following from every paycheck:

- Social Security
- Income tax (federal and state)
- Medicare
- Other deductions required by law or requested by the employee

A Wage and Tax Statement (W-2) recording the previous year's wages and deductions will be provided by the end of January of each calendar year.

If at any time you wish to adjust your income tax withholding, please fill out the W-4 form and submit to the Memphis Office at [nemarcstffin@comcast.net](mailto:nemarcstffin@comcast.net).

### ***Wage Garnishment***

Sometimes, the Company receives court documents papers that compels us to garnish an employee's paycheck. We must, by law, abide by this either until ordered otherwise by the court or until the debt is repaid in full, from withheld payments.



## **Section 4. Rights & Policies**

The following section summarizes your legal rights as an employee of neMarc Professional Service, Inc. Questions about any policy detailed in this section may be addressed with Carmen Brown.

### **4.1 Equal Opportunity Employment Policy**

The Company provides equal employment opportunities to all applicants, without regard to unlawful considerations of or discrimination against race, religion, creed, color, nationality, sex, sexual orientation, gender identity, age, ancestry, physical or mental disability, medical condition or characteristics, marital status, or any other classification prohibited by applicable local, state or federal laws. This policy is applicable to hiring, termination and promotion; compensation; schedules and job assignments; discipline; training; working conditions, and all other aspects of employment. As an employee, you are expected to honor this policy and to take an active role in keeping harassment and discrimination out of the workplace.

### **4.2 Accommodation for Disabled Employees**

We are happy to work with otherwise qualified disabled employees, by accommodating limitations, in accordance with the Americans with Disabilities Act (ADA). It is up to the employee to approach his or her supervisor with this request, and to provide medical proof of his or her needs upon the Company's request.

We are also happy to accommodate employees diagnosed with life-threatening illnesses. Such employees are welcome to maintain a normal work schedule if they so desire, provided that we receive medical papers proving their working cannot harm themselves or others and their work remains at acceptable standards.

### **4.3 Employment of Minors**

Our policy on employment of minors adheres to all FLSA standards, including the following:

- Minimum employment age (14 for non-agricultural work)-3 hours per day during the school year, 18 hours per week and no later than 7 pm.
- Maximum weekly hours for employees for 16 or 17 -there are no restrictions, but they can't be required to work during school hours or after 10 pm on school nights unless their parents sign a permission to work until midnight up to 3 nights per week.
- Minimum hazardous job employment age (18)
- Sub-minimum wage standards for students, apprentices, disabled employees, and employees under the age of 20.
- Children can work starting at 14

### **4.4 Employment Referral Bonus for Friends/Family**

neMarc welcomes family relatives. Our referral process has a proven record as well as contributes to our culture and to our clients. neMarc has established an employee referral bonus for our employees who refer friends and family after that referral has accepted a job assignment with one of our clients. Employees earn \$25.00 referral bonus.

#### **4.5 Religion & Politics**

neMarc Professional Service, Inc. is respectful of all employees' religious affiliations and political views. We ask that if you choose to participate in a political action, you do not associate the Company in any way.

We are happy to work with employees to accommodate political and religious obligations, provided accommodations are requested from a manager in advance and does not disrupts the client's operation or service levels.

#### **4.6 Private Information**

Employee information is considered to be private and only accessed on a need-to-know basis. Your healthcare information is completely confidential unless you choose to share it. In some cases, employees and management may receive guidelines ensuring adherence to the Health Insurance Portability and Accountability Act (HIPAA).

Personnel files and payroll records are confidential and may only be accessed for legitimate reason. Certain information, such as dates of employment and rehiring eligibility, are available by request only in writing. We will not release information regarding your compensation without your written permission.

#### **4.6 Vacation Benefits**

Vacation time is governed by the job function you are performing or the time expended on the job. neMarc personnel must work for 30 days before he/she is eligible for 1 week paid vacation after 1500 hours of employment within the calendar year. Vacation is earned at 10 hours after 500 hours worked, another 10 hours after 950 hours and 20 hours after 1500 hours worked. Vacation hours are not carried over from year to year. Vacation pay equals one week base salary (exclusive of overtime). Vacation is not required by the state of Tennessee and is given as a benefit in order to maintain our staff. Vacation time must be requested and approved by management, two (2) weeks prior to time off or determined by our clients work load or requesting pay. If an employee has not earned vacation pay and the client has requested payment to the employee, neMarc will honor the client's request and bill the client for the one week's pay.

For government employees, operating under our GSA or other Local Government contracts, those guidelines may or may not apply.

#### **4.7 Holidays**

neMarc observes eight (8) holidays within a calendar year. neMarc *does not pay* holiday pay. Holiday pay is not required by the State of Tennessee. (This may not apply to our GSA or local Government contracts) Holidays are not paid unless the clients agree that they will pay for an employee to receive holiday pay and that means that the client billing rate includes this benefit. Holiday pay is only available to employees working 32 hours or more per week. Employees must have worked 30 days prior to the Holiday to be eligible to receive Holiday pay. Employee must also work the day before and after (unless scheduled to be off on those days) to receive holiday pay.

New Year's Day  
Independence Day  
Thanksgiving Day  
Martin Luther King Birthday

Memorial Day  
Labor Day  
Christmas Eve  
Christmas Day

**(GSA and local government contract holidays)**

New Year's Day	Martin Luther King Birthday
Washington's Birthday (Presidents Day)	Memorial Day
Independence Day	Labor Day
Columbus Day	Veteran's Day
Thanksgiving Day	Christmas Day

If the client decides to pay an employee holiday pay, neMarc will honor the client's requests and bill the client the holiday pay.

When a recognized holiday falls on a Saturday, the Friday preceding the holiday shall be substituted. When it falls on Sunday, the Monday following the holiday shall be substituted. Where work schedules or duties make it necessary for an employee to work on a holiday another day of the same week may be substituted.

#### **4.8 On-The-Job-Injury**

No matter how minor an injury may appear, it is critical that it be reported immediately. Employees who sustain a work-related injury or illness, should inform neMarc management immediately. The employee must follow company procedures and go to the designated clinic or hospital recommended by neMarc.

Contact neMarc's local office-901-365-0500  
Employee will be given a local clinic in that area  
All forms completed at the local clinic must be faxed to neMarc-901-365-0587

For more serious injury's please to go to the nearest hospital and have the hospital fax neMarc the paperwork.

#### **4.9 Sick Leave**

neMarc **does not** pay its employee sick pay. Exception may exist for our GSA contracted employees. Sick leave does not constitute pay. Your job assignment is not guaranteed. neMarc will try to place you in the same or equitable job classification if there is a job *available*.

#### **4.10 Jury Duty**

**neMarc supports their employees need to fulfill their civic responsibilities by serving jury duty when called upon. Employees must show the jury summons to their supervisor and neMarc management so that arrangements are made to replace the employee during such absence if applicable. The employee is expected to return to work when the court schedule permits. 4.11** The Fair Labor Standards Act (FLSA), a federal law, does not require **employers to pay employees for jury duty service**

#### **4.11 Bereavement Leave**

neMarc personnel are provided a benefit of up to three (3) days off with pay due to the death of an immediate family member. An employee must have worked 30 days before receiving bereavement pay. If the employee has not worked 30 days prior, the employee will be given three (3) days off w/o pay. In order to receive the three days, neMarc must have in our possession a copy of the obituary or a program indicating your relationship as stated below.

**Immediate family shall be deemed to include:**

<b>Spouse</b>	<b>Child/Children</b>
<b>Step-child/children</b>	<b>Parents</b>
<b>Step-parents</b>	<b>Brother-in-law/Sister-in-law</b>
<b>Grand Parents</b>	<b>Sister/Brother</b>
<b>Niece/Nephew</b>	

neMarc will require a copy of the program or obituary indicating your relationship as a one of the above covered relatives.

#### **4.12 Leaves of Absence**

##### **Tennessee Law:**

Employers don't need to provide vacation time (paid or unpaid) nor do they need to provide paid sick leave. However, the federal Family & Medical Leave Act (FMLA) can help eligible employees get up to 12 weeks of unpaid leave a year when they are sick or need medical care, when they're providing medical care for an immediate family member, or for the birth or adoption of a baby or child. If an employer works on a holiday, some employers pay 1.5 times the pay, but aren't required to.

Employees requiring time off from work may apply for a leave of absence. The Company complies with the Family and Medical Leave Act which allows eligible employees up to 12 work weeks of unpaid leave a year.

All leaves must be approved by management. For planned leaves, employees must submit requests at least 30 days in advance. Emergency leaves must be requested as soon as possible. Accepting/performing another job or applying for unemployment benefits during leave will be considered voluntary resignation.

We consider all requests in terms of effect on neMarc and its' clients and reserve the right to approve or deny requests at will. Extension of leave must be requested and approved before the current leave ends. No employee is guaranteed reinstatement upon returning from leave, unless the law states otherwise. However, the neMarc will try to reinstate each returning employee in a job that is comparable.

Below are the three main types of leave that neMarc Professional Service, Inc. offers employees. Some, but not all, are governed by law.

##### *Work-Related Sickness & Injury*

Employees eligible for Worker's Compensation rendered unable to work because of work-related injury

or illness will receive an unpaid leave for the period required. For eligible employees, the first 12 weeks will be treated concurrently as a family and medical leave under the Family and Medical Leave Act.

#### *Medical Leave*

neMarc will provide unpaid medical leave to employees temporarily unable to work due to medical disability. Such medical disability must be documented by a physician.

**neMarc cannot guarantee same job status upon return or guarantee job replacement nor guarantee job status.**

#### *Family Medical Leave*

neMarc will grant unpaid family and medical leave up to twelve (12) weeks in a twelve (12) month period for eligible employees. Such requests are not paid by neMarc. Such a leave must be requested 30 days in advance and be documented.

**neMarc cannot guarantee same job status upon return or guarantee job replacement nor guarantee job status.**

#### *Maternity*

An employee disabled on account of pregnancy, childbirth, or a related medical condition may request an unpaid leave of absence of up to four months to remain in our active files. If after the fourth month, the employee is considered inactive. Time off may be requested for prenatal care, severe morning sickness, doctor-ordered bed rest and recovery from childbirth.

**neMarc cannot guarantee same job status upon return or guarantee job replacement nor guarantee job status.**

#### *Election Days*

Provided an employee's schedule does not allow time for voting outside of work, and that he/she is a registered voter, he/she may take up to two hours, w/o pay, at the beginning or end of a workday, to vote in local, state or national elections. Any late delay in the schedule work day must be approved with the client as well to protect your work status with that client.

#### *Personal Leave*

Personal leave without pay is available to employees who wish to take time off from work duties to fulfill personal obligations. Such leave must be requested 30 days prior to Personal Leave and must be documented.

**neMarc cannot guarantee same job status upon return or guarantee job replacement nor guarantee job status**

#### *Military Leave*

**Military leave will be granted to employees, attending scheduled drills, training, or engaged in active duty with the U.S. Armed Services.**

## **Section 5. Employment Benefits**

The following is merely an overview of the Company's benefits package. It does not contain all relevant information. Please contact Carmen B. Brown or Ken Harris to obtain all details.

### **5.1 Unemployment Insurance**

Employees rendered unemployed through no fault of their own or due to circumstances described by law, receive unemployment insurance. State agencies administer this insurance and determine benefit eligibility, amount (if any), and duration.

**Unemployment compensation** is paid by the state to **unemployed** workers who have lost their jobs due to layoffs or retrenchment.

Some reasons below why unemployment will not be granted.

Disqualify Events:

- left job site voluntary
- No Call No Show for work assignment (NCNS)
- Refusal to take drug and alcohol testing
- Testing positive for drug and alcohol
- Misconduct on the job site
- Unsatisfactory job performance

### **5.2 Workers' Compensation**

Workers' Compensation laws compensate for accidental injuries, death and occupational disabilities suffered in the course of employment. neMarc Professional Service, Inc. provides Workers' Compensation Insurance for all employees. Generally, this includes lost wages, disability payments and hospital, medical and surgical expenses (paid directly to hospital/physician) and assistance in injured employees in returning to suitable employment.

### **5.3 Social Security Benefits (FICA)**

Both employees and the Company contribute funds to the federal Social Security Program, which provides retirees with benefit payments and medical coverage.

### **5.4 Vacation Pay** (see above explanation)

### **5.5 Holiday Pay** (per contract)

## **Section 6. Rules of Conduct**

### **6.1 On the Job**

#### *Reporting for Work*

Employees are expected to begin and end each shift at the time and on the day appointed. You must inform your supervisor *before* the start of the work day if you will be absent or late, and obtain his or her permission to leave early. Absences and late arrivals will be recorded. Should your absences or

tardiness exceed a reasonable limit, you will be subject to disciplinary action and possible termination. Failing to call one's supervisor or report to work for consecutive workdays will be considered voluntary resignation, and result in removal from payroll.

### *Staying Safe*

Safety in the workplace is the Company's number one priority. You must inform your immediate supervisor and neMarc in the event of unsafe conditions, accident or injury, and use safe working methods at all times.

### *Meals & Breaks*

Employees must be given a 30-minute unpaid break when schedule to work 6 hours or more, according to state law. Federal and state law also requires nursing mothers to be given breaks for the first year after their baby is born to express breast milk at work .

Unless defined otherwise by Tennessee state law, non-exempt employees are entitled to a paid 10-minute break for every four hours of work, as well as a 30-minute meal break for any shift lasting longer than five hours.

### *Cell Phone Use*

Cell phones brought to work must be on silent or vibrate mode to avoid disrupting coworkers. They may only be used during breaks and meal periods, away from where others are working. If cell phone use interferes with operations in any way, an employee's cell phone privilege may be rescinded and **disciplinary action, up to and including termination, may be used.**

## **6.2 Rules & Policies**

### *Confidentiality*

No previous or current employee may disclose or give access to confidential Company information, in any way or at any time, unless otherwise authorized by Management.

### *Discrimination & Harassment*

In keeping with our Equal Opportunity Employment clause, the Company will not tolerate on-site discrimination or harassment on any legally protected basis, including that of physical characteristics, mental characteristics, race, religious or political views, nationality, disability, medical condition, sex, sexual preference, or gender identification. Harassment and discriminatory behaviour among employees or contractors will result in disciplinary action, with the possibility of termination. Discrimination and harassment by customers or other business associates should be immediately reported to your supervisor, at which point the Company will investigate and take corrective action. You are welcome to seek legal relief if you find the Company's actions inadequate.

### *Drugs & Alcohol*

Good performance on the part of our employees is crucial to neMarc Professional Service, Inc.'s success. For this reason, we strictly forbid employees to do the following while at work\*:

- Drinking alcohol and selling, purchasing or using illegal drugs at work. An "illegal drug" is any drug that has not been obtained by legal means. This includes prescription drugs being used for non-

prescribed purposes.

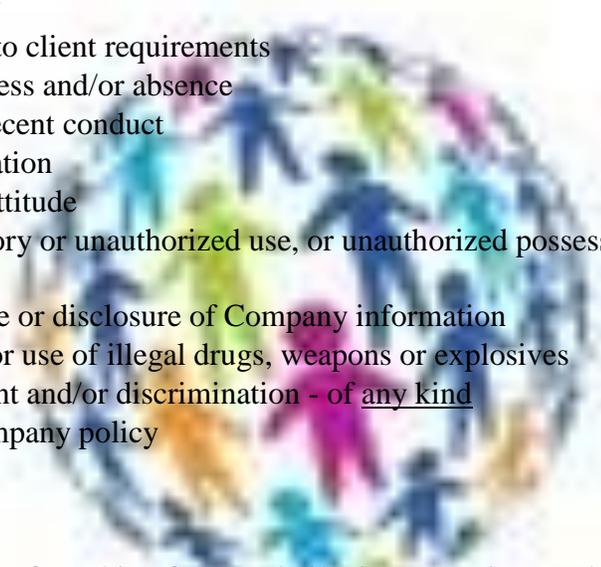
- Possession of any non-prescribed controlled substance, including alcohol and legal illegally obtained prescription drugs.
- Reporting for work intoxicated. We reserve the right to test employees for substance abuse. Illegal drugs, illegal drug metabolites, or excessive alcohol in your system will result in disciplinary action.

The Company cares about the overall health and well-being of its employees. Any employee who feels that he/she is developing a substance abuse problem is urged to seek help. The Company will grant time off (within reason) for rehabilitation with out pay. Be advised, however, that this will not excuse a substance-related offense. In some cases, completion of Company-approved rehabilitation program may serve as an alternative to termination from neMarc but, the job assignment will be terminated.

### **6.3 Disciplinary Action**

The Company takes disciplinary matters very seriously, and will exact discipline as it sees fit for any unacceptable action or behaviour. These may include:

- No call No show
- Not performing to client requirements
- Excessive tardiness and/or absence
- Improper or indecent conduct
- Poor communication
- Uncooperative attitude
- Abuse, perfunctory or unauthorized use, or unauthorized possession of Company property
- Unauthorized use or disclosure of Company information
- Possession and/or use of illegal drugs, weapons or explosives
- Illegal harassment and/or discrimination - of any kind
- Violation of Company policy



Disciplinary action may consist of anything from verbal/written warnings and counselling to demotion, transfer, suspension or termination. Rather than follow rote procedures, the Company will handle each matter individually to ensure fairness to all involved. Please review and internalize the list of "Don'ts" above, and make an effort to use good judgments at all time.

#### *Clients Workplace Inspections*

At neMarc Professional Service, Inc., we have a responsibility to protect our employees and our property. For this reason, we reserve the right as requested by our client to inspect the following, at any time, with or without notice:

- Offices
- Computers and other equipment
- Any personal possessions brought onto Company premises, such as handbags, briefcases, and b vehicles.

All inspections are compulsory. Those who resist inspection may be denied access to Company premises and or assignment terminated from the job assignment.

**At-Will Employment Agreement and Acknowledgement of Receipt of Employee Handbook**

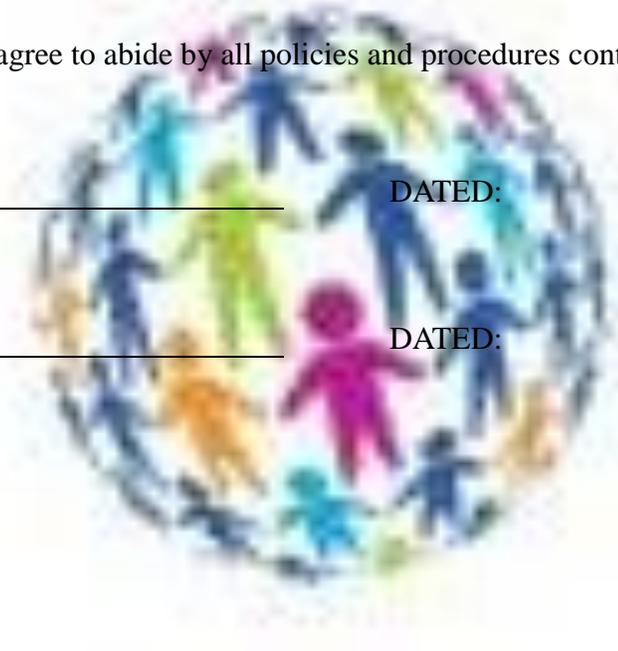
Employee:

I acknowledge that I have received a copy of the neMarc Professional Service, Inc. Employee Handbook, which contains vital information on the Company's policies, procedures and benefits.

I understand that this handbook's policies are intended only as guidelines, not as a contract of employment. I understand that my employment is on "at-will" terms and therefore subject to termination, with or without notice or obvious reason, by myself or the Company. Changes to my "at-will" status may only take the form of a written agreement signed by an authorized member of the Company as well as myself. This agreement supersedes all prior/contemporaneous inconsistent agreements.

I understand that the Company may change its policies, procedures and benefits at any time at its discretion, as well as interpret or vary them however it deems appropriate.

I have read (or will read) and agree to abide by all policies and procedures contained therein.



\_\_\_\_\_

DATED:

\_\_\_\_\_

DATED: