

RULES OF CONDUCT

WE PLAY BY THE RULES.

Our employee-owners are expected to treat each other with dignity and respect and to abide by certain rules of conduct. Conduct that is immoral, unethical, or illegal will not be tolerated by ESS.

Although it's not possible to provide an exhaustive list of all types of impermissible conduct, the following are examples of some (but not all) conduct that could lead to disciplinary action, up to and including termination.

THE DIRTY 30

- 01** Falsification of employment applications, employment records and information, or other ESS records.
- 02** Recording or allowing falsification of any timecard, whether it belongs to you or another employee-owner.
- 03** Theft, or deliberate/careless damage and/or destruction of any ESS property, or the property of any employee-owner, client, or partner.
- 04** Unauthorized use or removal of ESS property, equipment, time, materials, or facilities.
- 05** Provoking a fight or fighting during work hours or while on ESS premises or related work sites.
- 06** Participating in horseplay or practical jokes during work hours or while on ESS premises or related work sites.
- 07** Unlawfully carrying firearms or any other dangerous weapons while on ESS premises, job sites or premises leased or owned by ESS.
- 08** Causing, creating, or participating in a disruption of any kind during working hours on ESS property or related work sites.
- 09** Insubordination, including (but not limited to) failure or refusal to obey the instructions of a supervisor or member of management, or the use of abusive or threatening language toward an employee-owner, supervisor, member of management, or client.
- 10** Failure to comply with the call-in procedures set forth in the ESS Attendance Policy.
- 11** Unreported absence of three consecutive scheduled workdays.
- 12** Failure to obtain permission to leave a job site for any reason during normal working hours.
- 13** Failure to observe working schedules, including rest and meal periods.
- 14** Failure to provide a fit-for-duty or physician's certification when requested or required.
- 15** Sleeping or slacking on the job.
- 16** Excessive use of personal calls during working hours.
- 17** Unsatisfactory work performance or being incompetent.
- 18** Working overtime without authorization or refusing to work assigned overtime.
- 19** Wearing unprofessional or inappropriate dress attire while working.
- 20** Committing a fraudulent act or a breach of trust under any circumstances.
- 21** Violating ESS' Anti-Harrassment policy.
- 22** Soliciting or accepting gratuities from clients or partners.
- 23** Excessive absenteeism or tardiness.
- 24** Abuse of leaves of absence or other time off.
- 25** Reporting to work intoxicated or under the influence of non-prescribed drugs or other violation of ESS Substance Abuse Policy.
- 26** Manufacturing, possessing, using, selling, distributing, or transporting non-prescribed drugs or prescription drugs other than for the intended purpose.
- 27** Failing to maintain the confidentiality of ESS information and trade secrets, its employee-owners, clients, or partners.
- 28** Failing to timely report accidents, breakage, or damage to equipment that occurs when an employee-owner is assigned to use such equipment.
- 29** Violation of any safety, health, EEO, or security policies, rules, or procedures of ESS, or state, federal, or local agencies.
- 30** Failure to follow ESS policies as outlined in this Owner's Manual or any other instituted policies.

Discipline may be initiated for various reasons. The severity of the action generally depends on the nature of the offense and the employee-owner's past record. Discipline may range from oral or written warnings to immediate dismissal, even on the first violation. ESS reserves the absolute right to initiate the form of discipline it deems to be appropriate.

Nothing in this policy alters ESS policy of at-will employment. Either ESS or an employee-owner may terminate the employment relationship at any time and for any reason.

CONFLICTS OF INTEREST

WE'RE LOYAL TO EACH OTHER.

When you have a conflict of interest, you undermine all the values for which your fellow employee-owners stand. That's why employee-owners are expected to devote their best efforts to the interests of the Company and the conduct of its affairs.

Business dealings (including freelance work) that represent or appear to represent a conflict between the interests of the Company and an employee-owner are unacceptable. The Company recognizes the right of employee-owners to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, a policy of full disclosure must be followed to assess and prevent potential conflicts of interest from arising. Contact your supervisor or the HR team if you have questions regarding a possible conflict of interest or outside work.

CONFIDENTIAL INFORMATION

WE KNOW HOW TO KEEP A SECRET.

It's okay to let your buddies know how great it is to work here. But you also have to know when to bite your tongue.

It's the policy of ESS and its family of companies to ensure that the operations, activities, and business affairs of ESS and our clients are kept confidential to the greatest possible extent.

Employee-owners may have access to and become acquainted with confidential and proprietary information, including, without limitation, methods, procedures, techniques, devices, processes, compilations, records, data, plans, programs, specifications, and customer names and lists which are owned by ESS and which are regularly used in the operation of the business of ESS ("Trade Secrets"). Employee-owners shall not disclose any of the Trade Secrets, directly or indirectly, or use them in any way, either during the term of their employment or at any time thereafter, except as required in the course of their services to ESS.

Employee-owners will be asked to sign a statement of confidentiality at the time of hire and may be asked to sign a statement periodically throughout their term of employment to acknowledge their awareness of, and reaffirm their commitment to, this policy.

Employee-owners found to be violating this policy are subject to disciplinary action, up to and including termination, and may also be subject to civil damages and/or injunctive relief.

BLABBERMOUTHS BEWARE!

**BREAKING CONFIDENTIALITY COULD SIGNIFICANTLY
AFFECT OUR FIRM AND HARM OUR ESOP. WE WOULD
GO TO GREAT LENGTHS TO PROTECT OUR ESOP.**

WORKPLACE PRODUCT & INTELLECTUAL PROPERTY

WE WORK FOR EACH OTHER.

We all share the load. We all share the pride. And at the end of the day, the work belongs to us all.

Employee-owners are advised that ESS and its family of companies ("the Company") retain legal ownership of the product of their work. No work product created while employed by the Company in the scope of their employment can be claimed, construed, or presented as property of the individual, even after employment by the Company has been terminated or the relevant project completed. This includes written and electronic documents, audio and video recordings, system or source code, and also any concepts, ideas processes, forms, or other intellectual property developed for the Company, regardless of whether there has been an application for protection of the intellectual property filed with the appropriate agency (or such protection already granted, i.e. patent, trademark, copyright, etc.) or whether information classified as confidential must remain so even after the end of employment. Improperly disclosing such information is a violation of the Company's confidentiality policy. Moreover, supplying certain other entities with certain types of information may constitute a conflict of interest. In any event, it must always be made clear that the work product is the sole and exclusive property of the Company.

For purposes of showcasing work, the employee-owner may be granted access, at the discretion of the Company, for use in personal portfolios, websites, etc. Upon separation of employment, company authorization must be obtained before the work product is to be released, including produced work in an employee-owner's portfolio.