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<b>TITLE: USE OF CONTRACT-AGENCY PERSONNEL</b>	

COGNIZANT SENIOR MANAGER:	APPROVED BY:
<u>Approval on File</u> <span style="float: right;">4/26/05</span> D. G. Haug <span style="float: right;">Date</span> Chief Financial Officer Business Management	<u>Approval on File</u> <span style="float: right;">4/28/05</span> R. D. Raaz <span style="float: right;">Date</span> WTS General Manager

**1.0 POLICY**

It is the practice of Washington TRU Solutions LLC (WTS) to authorize the use of contract-temporary labor personnel under clearly defined guidelines, which are delineated in this policy.

Contract labor will not be used for the following:

- As a permanent substitute for or in lieu of regular employees.
- In situations involving sensitive or WTS proprietary information, including patents, data, software, and any information covered by the WTS Intellectual Property Agreement.

Contract labor will be used only on specific assignments of limited duration.

For purposes of this policy there is one classification of employee – "regular employee" – and two of contract labor: "agency personnel" and "independent contractors/subcontractors."

**2.0 REQUIREMENTS**

It may be desirable from time to time to augment the WTS work force through the use of contract labor personnel. When regular employees are not available, the alternatives include the use of contract-labor personnel to meet peak workloads, to perform clerical and/or special tasks of limited duration, or to perform work that requires a special skill.

This policy is being issued to provide consistent definitions and classifications and to distinguish agency personnel and independent contractors/subcontractors from regular employees. Clear distinctions are important in order to ensure compliance with all regulations and laws.

**2.1 Definitions**

- Regular Employee - An employee who is one employed for salary under the direction and control of WTS.

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- Contract Labor/Agency personnel - A person obtained under written contract with a temporary help agency. The person is an employee of the temporary help agency, not of WTS. As the employer, the agency, and not WTS, is responsible for the withholding and remittance of taxes, for all statutory benefits, and for any other type of benefit treatment. As the employer, the agency is responsible for all other matters relating to the employer-employee relationship, including but not limited to direction, discipline, commendation, or reassignment.

An agency person must be used only for a limited time period and for the performance of a specific task. Continuous assignments of a particular agency person is limited to six months, or 1,000 work hours. Assignments of different agency personnel for the same task for more than six months must be approved by the Human Resources manager and the General Manager.

For further guidance, refer to guidelines on Temporary Agency Personnel in Section 4.0.

- Contract Labor/Independent Contractor/Subcontractor - An individual or group of individuals in business to provide personal or consulting services that usually require the application of independent judgment in areas of specialized expertise or specialized maintenance (i.e., cleaning) or repair services. Such independent contractors are not retained to perform the same tasks as regular employees, and are not subject to the same control regarding matters such as performance of work and terms and conditions of employment exercised by WTS over its regular employees. Any independent contractor, whether incorporated or doing business as an individual, must be engaged by a Consulting and/or Personal Services Agreement or some other approved contractual agreement prior to the commencement of services.

**3.0 RESPONSIBILITIES**

**3.1 Human Resources**

The manager of Human Resources is responsible for the following:

- Establish and maintain procedures for the procurement of agency personnel in coordination with the manager of Procurement.
- Establish and maintain a means of meeting all reporting requirements regarding agency personnel as stipulated by the Corporation.
- Serve as, or designate an individual from his or her department to serve as, the appropriate point of contact within the company for matters pertaining to the request for and assignment of agency personnel to the project by the temporary help agency.

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- Work with the manager of Procurement on matters pertaining to the temporary help agency contract.
- Communicate this policy regarding the use of agency personnel to all members of WTS management, to ensure effective implementation.
- Review and approve all extensions beyond three months for individual assignment and six months for task assignments. This will be done in consultation with the General Manager.

**3.2 General Manager**

The WTS General Manager will review and approve all extensions beyond the periods stipulated in consultation with the manager of Human Resources.

**3.3 Procurement**

The manager of Procurement is responsible for the following:

- Work with the manager of Human Resources to establish and maintain procedures for the procurement of contract and agency personnel.
- Maintain and manage the temporary help agency contract and any other contract labor subcontracts.

**3.4 Managers**

All managers at all levels are accountable for ensuring that the intent of the policy is carried out.

**4.0 GUIDELINES**

The application of the following guidelines will clarify the distinction between WTS employees and agency personnel.

- Provide Human Resources with sufficient information to enable the agency to assign a qualified individual. Such information includes skills required to perform the job and length of the assignment.
- The duration of any temporary assignment should be as short as possible. Continuous assignment of a particular agency person is limited to six months, or 1,000 work hours. Assignments of different agency personnel for the same task for more than six months, must be reviewed and approved by the General Manager and the manager of Human Resources.

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- Human Resources is responsible for communications with the temporary agency regarding temporary agency personnel assignments. Procurement is responsible for communications with the temporary help agency regarding contractual issues.
- WTS employees are not designated as, or considered to be, the supervisors of agency personnel.
- Aside from normal complimentary and appreciative thanks, facts regarding agency personnel performance or behavior, particularly when unacceptable or improper, will be communicated only to Human Resources, who will communicate with the agency. WTS employees will not commend, discipline, or reassign agency personnel. Commendation, discipline, and reassignment are within the temporary agency's discretion and not in WTS control.
- All benefits, including vacation days, received by agency personnel are the responsibility of the agency. Refer agency personnel with benefits questions to the agency.
- Agency personnel are to be treated as visitors to the facility rather than as regular employees. Agency personnel should not attend all-employee meetings, workplace meetings (other than specific safety briefings), or events that address WTS-specific subjects or events.
- Agency personnel are not to be referred to as employees or temporary employees. All references should be made as agency personnel or agency person.