

Apex Companies, LLC

Employee Policy Handbook

CONDUCT AND PERFORMANCE

213 Use of Company Office Equipment and Electronic Information Systems

General Application and Expectation

Apex maintains various types of business/computer equipment and electronic information systems including but not limited to e-mail, Internet access, website, individual workstations, computer programs, file servers, voicemail, fax systems, copiers, telephones and company-provided mobile phones or other hand-held communication devices for the purpose of allowing employees to perform their duties. This policy is intended to be illustrative of the range of acceptable and unacceptable uses of company equipment and electronic information systems and is not necessarily exhaustive. Any questions about uses not addressed in this policy should be directed to Apex's Talent Team or the Manager of IT. The computer equipment and electronic information systems, including the software, and all documents, data, information, messages or attachments created, sent, received or stored, is and at all times remains the exclusive property of Apex. Apex management may monitor, read, print, copy, distribute or use any information on any of its systems at any time at its discretion. Employees should not access, transmit, receive or store anything on their company-provided computer or electronic information systems that they feel is personal and private, as the systems are not intended for private use or to protect personal privacy, except that of Apex customers and Apex proprietary information.

Apex employees are responsible for all Apex property assigned to them during the course of their employment to include but not limited to transportation of Apex-issued equipment, general maintenance, proper usage, etc. Employees should avoid eating or drinking around their computers to assist in preventing spills that may damage hardware equipment. If an employee's computer hardware is found to be excessively in need of repair (above and beyond normal wear and tear) or has been damaged repeatedly, progressive discipline may apply to include deducting the replacement costs for a computer after the second incident of damage based on employee neglect and mishandling.

Computer Hardware, Software, Internet Connection and Phones

Computers and associated hardware, software, proprietary applications, computer files, Internet connection, e-mail system, passwords, voice-mail, and Company-provided mobile phones or other hand-held communication devices are Apex property and are provided to employees for business use only. Employees may not use a password, or access, retrieve or transmit any stored file or online communication unless they have authorization and the use is solely for a job-related purpose. Additionally, employees may not use a password or voice-mail access code that has not been issued to that employee.

As referenced above, Apex management may monitor, open or review employee's files, documents, information, and messages on any of its systems in the Company's sole discretion. Personal material that employees wish to keep private should not be accessed, transmitted, received, or stored using any of the Company's systems. This includes access of any social networking sites [such as LinkedIn; Facebook; Twitter; MySpace; personal blogs or web sites; or any other form of online communication] using Apex equipment or systems.

Employees are not permitted to install software without assistance from or knowledge of the Apex IT Department or to remove, disable, or bypass any software installed on the system without the permission of the Manager of IT. Nor are employees permitted to use the system to copy or use software, an

Apex Companies, LLC

Employee Policy Handbook

CONDUCT AND PERFORMANCE

electronic file or any other material in violation of copyright laws and/or any license that Apex holds or that the employee holds.

Employees are to refrain from divulging company issued passwords and will assume responsibility and liability for damages and activities emanating from personally assigned accounts.

Personal Laptops, PDAs and Related Devices

Employees may use personal laptops, PDAs or other electronic devices in ways consistent with this policy and may not use personal equipment to violate any aspect of this policy.

Acceptable and Unacceptable Use

Acceptable use of Apex equipment and electronic information systems include any work-related activity. Incidental personal use that does not interfere with the employee's job or the system's performance may be acceptable according to the discretion of the employee's management.

Unacceptable uses include, but are not limited to:

- Gaining access to or disseminating proprietary information of Apex, its employees, or its clients without authorization or for improper purposes.
- Accessing, sending, soliciting, displaying, printing or otherwise disseminating any material that is reasonably likely to harass, threaten, or embarrass others or that is fraudulent, discriminatory, sexually explicit, or otherwise inappropriate.
- Transmitting statements, language, images, or other materials that are reasonably likely to be perceived as offensive by others based on employee's gender, gender identity, sexual orientation, race, color, ethnicity, age, religion, disability status, military status, veteran status, genetic information, national origin, marital status or any other legally protected characteristic.
- Disseminating defamatory or derogatory facts, opinions or other statements or graphic material about Apex, its competitors, industry, clients, employees, or other persons or entities associated with the Company.
- Illegally copying, disseminating, or printing copyrighted materials of any kind, including articles, images, games, or other software, without permission of the owner.
- Participating in file-sharing via software application or the Internet that divulges company, client or personal information.
- Sending chain mail, computer viruses or worms.
- Soliciting or proselytizing for commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations.
- Engaging in personal activities for gain or profit or commercial activities unrelated to work during working time.
- Blogging or posting items to chat rooms, list serves, etc. in violation of the Company's blogging/networking policy (see below).
- Engaging in illegal activities of any kind.
- Operating a business, usurping business opportunities or soliciting money for personal gain, or searching for jobs outside Apex.
- Gambling or engaging in any other activity in violation of local, state or federal law.
- Circulating jokes, comics or non-job related computer graphics.
- Sending or soliciting sexually oriented messages or images.
- Gaining or attempting to gain unauthorized access to any computers, computer networks, databases, data, or electronically stored information (hacking).
- Interfering with or disrupting the work of others or the operation of the system.

Apex Companies, LLC

Employee Policy Handbook

CONDUCT AND PERFORMANCE

- Any use that interferes with Apex employee productivity.

Blogging/Networking Policy

Employees should adhere to the following guidelines for all online communications in reference to Apex whether the employee is using Apex equipment/systems or personal equipment/system. Online communications include (but are not limited to) the following specific technologies: LinkedIn; Facebook; Twitter; MySpace; personal blogs and web sites; or any other online communication tool. Acceptable online content includes statements of fact about Apex and its products and services; facts about already-public information; or information on the Apex Web site. Employees, who become aware of networking activity that would be deemed distasteful or seems questionable, should contact Apex's Talent Team.

Inaccurate or Defamatory Content

Employees who participate in online communications deemed not to be in the best interest of Apex will be subject to progressive disciplinary action. Examples of inappropriate online communication can include but are not limited to: leakage of Apex intellectual property, trade secrets, financial or customer data; inaccurate, distasteful, or defamatory commentary about the Company, its management or its employees; any other communiqués deemed inappropriate for uncoordinated public exchange.

Online Recommendations

Some sites, such as LinkedIn, allow members to "recommend" current or former co-workers. Apex discourages employees from participating in (current or former) employee recommendations. Employment verifications or any other related communications should be referred to Apex's Talent Team for follow-up response.

Consequences of Unacceptable Use

Violations of this policy will result in progressive disciplinary action depending on the severity of the violation, including restriction of Internet or e-mail use, termination of Internet or e-mail privileges, up to and including termination of employment and/or criminal prosecution.

Employees are expected to promptly disclose any known violation of this policy to Apex's Talent Team so that appropriate action may be taken to limit the repercussions to the Company. If you have any questions about the content or interpretations of this policy, please contact Apex's Talent Team.

Miscellaneous Office Equipment

Office equipment (i.e. copiers, fax machines, scanners, etc.) essential to accomplishing job duties is expensive and may be difficult to replace. When using Apex property, employees are expected to exercise care, perform required maintenance checks specific to the needs of the equipment, and follow all operating instructions, safety standards, and guidelines. Only designated, authorized employees may operate Apex equipment. Company equipment may not be used for personal purposes without the prior approval of the employee's supervisor.

Prompt reporting of damage, defects, and the need for repairs (or maintenance) could prevent deterioration of equipment and possible injury to employees or others. Employees must notify their supervisor if any equipment, machines, or tools, appear to be damaged, defective, or in need of repair or

Apex Companies, LLC

Employee Policy Handbook

CONDUCT AND PERFORMANCE

maintenance. The employee's supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment can result in progressive disciplinary action, up to and including termination of employment.

Phone and Mail Services

Personal use of Apex's telecommunications services for long-distance and toll calls is not permitted if it results in cost to Apex. Employees who need to make personal long-distance and toll calls from any Apex location are encouraged to obtain phone cards from their own personal telecommunications service which bills calls directly to the employee's home phone account. Employees should use discretion to minimize the amount of time spent on personal calls during the workday.

Employees are required to reimburse Apex for any charges resulting from their personal use of Apex's telecommunications services, postage and/or shipping.

Charges for personal use of Apex's systems should be paid directly by the employee to Apex; however, if they are not, unpaid charges will be considered an advance on an employee's wages and may be deducted from employee expense reimbursements or wages to the extent permitted by state law.