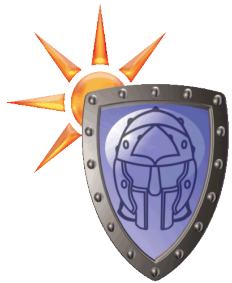


# Employee Handbook



**HEAT GUARD TODAY**

**RMB Developments LLC  
DBA Heat Guard Today**

## **Welcome**

Welcome to RMB Developments LLC DBA Heat Guard Today!

Dear Employee:

You and RMB Developments LLC DBA Heat Guard Today have made an important decision: The Company has decided you can contribute to our success, and you've decided that RMB Developments LLC DBA Heat Guard Today is the organization where you can pursue your career productively and enjoyably.

We believe we've each made the right decision, one that will result in a profitable relationship. The minute you start working here, you become an integral part of RMB Developments LLC DBA Heat Guard Today and its future. Every job in our company is important, and you will play a key role in the continued growth of our company.

As you will quickly discover, our success is based on delivering high quality products and providing unsurpassed customer service. How do we do it? By working very hard, thinking about our customers' needs, and doing whatever it takes. We do it by treating each other and customers with respect. We do it by acting as a team.

Should you have any questions concerning this handbook, your employment or benefits, please feel free to discuss them with your supervisor or manager.

Again, welcome!

## **Introduction & Description of Company**

*RMB Developments as a business and organization is poised for a future in helping our world through energy efficient products and ideas . Our goals are honesty and integrity with values to match*

## **Confidentiality Agreement**

Information that pertains to RMB Developments LLC DBA Heat Guard Today's business, including all nonpublic information concerning the Company, its vendors and suppliers, is strictly confidential and must not be given to people who are not employed by RMB Developments LLC DBA Heat Guard Today.

Please help protect confidential information - which may include, for example, trade secrets, customer lists and company financial information - by taking the following precautionary measures:

- 1 Discuss work matters only with other RMB Developments LLC DBA Heat Guard Today employees who have a specific business reason to know or have access to such information.
- 2 Do not discuss work matters in public places.
- 3 Monitor and supervise visitors to RMB Developments LLC DBA Heat Guard Today to insure that they do not have access to company information.
- 4 Destroy hard copies of documents containing confidential information that is not filed or archived.
- 5 Secure confidential information in desk drawers and cabinets at the end of every business day.

Your cooperation is particularly important because of our obligation to protect the security of our clients' and our own confidential information. Use your own sound judgment and good common sense, but if at any time you are uncertain as to whether you can properly divulge information or answer questions, please consult a RMB Developments LLC DBA Heat Guard Today officer.

## **Conflict of Interest**

Employees must avoid any interest, influence or relationship which might conflict or appear to conflict with the best interests of RMB Developments LLC DBA Heat Guard Today. You must avoid any situation in which your loyalty may be divided and promptly disclose any situation where an actual or potential conflict may exist.

Examples of potential conflict situations include:

- 1 Having a financial interest in any business transaction with RMB Developments LLC DBA Heat Guard Today

- 2 Owing or having a significant financial interest in, or other relationship with, a RMB Developments LLC DBA Heat Guard Today competitor, customer or supplier, and
- 3 Accepting gifts, entertainment or other benefit of more than a nominal value from a RMB Developments LLC DBA Heat Guard Today competitor, customer or supplier.

Anyone with a conflict of interest must disclose it to management and remove themselves from negotiations, deliberations or votes involving the conflict. You may, however, state your position and answer questions when your knowledge may be of assistance to RMB Developments LLC DBA Heat Guard Today.

## **Anti Discrimination & Harassment**

### **Americans with Disabilities Act**

It is RMB Developments LLC DBA Heat Guard Today's policy that we will not discriminate against qualified individuals with disabilities with regard to any aspect of their employment. RMB Developments LLC DBA Heat Guard Today is committed to complying with the American with Disabilities Act of 1990 and its related Section 504 of the Rehabilitation Act of 1973. RMB Developments LLC DBA Heat Guard Today recognizes that some individuals with disabilities may require accommodations at work. If you are currently disabled or become disabled during your employment, you should contact your manager to discuss reasonable accommodations that may enable you to perform the essential functions of your job.

### **Equal Opportunity Policy**

RMB Developments LLC DBA Heat Guard Today provides equal opportunity in all of our employment practices to all qualified employees and applicants without regard to race, color, religion, gender, national origin, age, disability, marital status, military status or any other category protected by federal, state and local laws. This policy applies to all aspects of the employment relationship, including recruitment, hiring, compensation, promotion, transfer, disciplinary action, layoff, return from layoff, training and social, and recreational programs. All such employment decisions will be made without unlawfully discriminating on any prohibited basis.

### **Policy Prohibiting Harassment and Discrimination**

RMB Developments LLC DBA Heat Guard Today strives to maintain an environment free from discrimination and harassment, where employees treat each other with respect, dignity and courtesy.

This policy applies to all phases of employment, including but not limited to recruiting, testing, hiring, promoting, demoting, transferring, laying off, terminating, paying, granting benefits and training.

### **Prohibited Behavior**

RMB Developments LLC DBA Heat Guard Today does not and will not tolerate any type of harassment of our employees, applicants for employment, or our customers. Discriminatory

conduct or conduct characterized as harassment as defined below is prohibited.

The term harassment includes, but is not limited to, slurs, jokes, and other verbal or physical conduct relating to a person's gender, ethnicity, race, color, creed, religion, sexual orientation, national origin, age, disability, marital status, military status or any other protected classification that unreasonably interferes with a person's work performance or creates an intimidating, hostile work environment.

Sexually harassing behavior in particular includes unwelcome conduct such as: sexual advances, requests for sexual favors, any offensive touching, or other verbal or physical conduct of a sexual nature. Such conduct may constitute sexual harassment when it:

- 1 is made an explicit or implicit condition of employment
- 2 is used as the basis for employment decisions
- 3 unreasonably interferes with an individual's work performance, or
- 4 creates an intimidating, hostile or offensive working environment.

The types of conduct covered by this policy include: demands or subtle pressure for sexual favors accompanied by a promise of favorable job treatment or a threat concerning employment.

Specifically, it includes sexual behavior such as:

- 1 repeated sexual flirtations, advances or propositions
- 2 continued and repeated verbal abuse of a sexual nature,
- 3 sexually related comments and joking, graphic or
- 4 degrading comments about an employee's appearance
- 5 or displaying sexually suggestive objects or pictures
- 6 including cartoons and vulgar email messages, and
- 7 any uninvited physical contact or touching, such as patting, pinching or repeated brushing against another's body.

Such conduct may constitute sexual harassment regardless of whether the conduct is between members of management, between management and staff employees, between staff employees, or directed at employees by nonemployees conducting business with the Company, regardless of gender or sexual orientation.

### **Harassment by Nonemployees**

RMB Developments LLC DBA Heat Guard Today will also endeavor to protect employees, to the extent possible, from reported harassment by nonemployees in the workplace, including customers, clients and suppliers.

### **Complaint Procedure and Investigation**

Any employee who wishes to report a possible incident of sexual harassment or other unlawful harassment or discrimination should promptly report the matter to Richard Brindisi. If that person is not available, or you believe it would be inappropriate to contact that person, contact Dustin J. Markowitz or .

RMB Developments LLC DBA Heat Guard Today will conduct a prompt investigation as confidentially as possible under the circumstances. Employees who raise concerns and make reports in good faith can do so without fear of reprisal; at the same time employees have an obligation to cooperate RMB Developments LLC DBA Heat Guard Today in enforcing this policy and investigating and remedying complaints.

Any employee who becomes aware of possible sexual harassment or other illegal discrimination against others should promptly advise Richard Brindisi or any other appropriate member of management.

Anyone found to have engaged in such wrongful behavior will be subject to appropriate discipline, which may include termination.

### **Retaliation**

Any employee who files a complaint of sexual harassment or other discrimination in good faith will not be adversely affected in terms and conditions of employment and will not be retaliated against or discharged because of the complaint.

In addition, we will not tolerate retaliation against any employee who, in good faith, cooperates in the investigation of a complaint. Anyone who engages in such retaliatory behavior will be subject to appropriate discipline, up to and including termination.

### **Training**

RMB Developments LLC DBA Heat Guard Today will establish proper training for all employees concerning their rights to be free from sexual harassment and other discrimination and steps they can take to stop it.

### **Employment at Will**

Unless expressly proscribed by statute or contract, your employment is "at will." All RMB Developments LLC DBA Heat Guard Today employees are at will, which means they may be terminated at any time and for any reason, with or without advance notice. Employees are also free to quit at any time. Any employment relationship other than at will must be set out in writing and signed by RMB Developments LLC DBA Heat Guard Today's Owner Richard Brindisi.

## **Compensation & Work Schedule**

### **Attendance & Punctuality**

Every employee is expected to attend work regularly and report to work on time.

If you are unable to report to work on time for any reason, telephone your supervisor as far in advance as possible. If you do not call in an absence in advance, it will be considered unexcused.

Unsatisfactory attendance, including reporting late or quitting early, may be cause for disciplinary action, up to and including discharge.

## **Flexible Work Hours & Telecommuting**

The company has established a flexible work arrangement program for employees whose departments and jobs are suited to it.

With a manager's approval, you may be allowed to begin and end your workday earlier or later than established hours or to arrange to telecommute. To maintain a flexible work arrangement, employees must ensure business needs are met and adhere to attendance and punctuality policies.

If you wish to set up a flexible work arrangement, see . Such arrangements may be established, changed or discontinued at the Company's discretion.

## **General Pay Information**

Certain deductions will be made in accordance with federal and state laws.

In addition, the Company makes available certain voluntary deductions as part of the Company's benefits program. If an employee elects supplemental coverage under one of the Company's benefits plans, which requires employee contributions, the employee's share of the cost will be deducted from his or her check each pay period. If the employee is not receiving a payroll check due to illness, injury, or leave of absence, he or she will be required to pay the monthly cost directly to the Company.

## **Pay Schedule**

Employees will be paid on every Monday. If the regular payday falls on a holiday, payday will be the last regular workday before the holiday.

The pay week starts at the beginning of your shift on Monday and includes all work you perform up to the close of business on Sunday.

A few additional facts about pay:

- 1 You will be paid your first week's wages at the end of the first workweek.
- 2 Any overtime earnings will be paid one week following the actual hours worked.
- 3 You can receive vacation pay in advance if you are taking five consecutive days, and that check will be distributed on the last payday preceding vacation. To be paid in advance you must notify your supervisor one week before your vacation begins so that a check can be prepared.
- 4 If a paycheck is lost or stolen, notify Dustin J. Markowitz immediately.

## **Time Records**

All non-exempt employees must keep accurate time records by completing timesheets or punching a time clock when entering or leaving the building, including coming and going during lunch periods. Tampering with, falsifying or altering time cards or punching another employee's time card will result in disciplinary action, up to and including discharge. Failing to record work time may also result in disciplinary action.

For payroll purposes, time is rounded to the nearest quarter of an hour.

## **Conduct Standards**

### **Company Equipment and Vehicles**

When using RMB Developments LLC DBA Heat Guard Today property, including computer equipment or hardware, exercise care, perform required maintenance and follow all operating instructions, safety standards and guidelines.

Notify your supervisor if any equipment or machines appear to be damaged, defective or in need of repair. This prompt reporting could prevent the equipment's deterioration and could also help prevent injury to you or others. Should you have questions about the maintenance and care of any workplace equipment, ask your supervisor.

If you use or operate equipment improperly, carelessly, negligently or unsafely, you may be disciplined or even discharged. In addition, you may be held financially responsible for any loss to RMB Developments LLC DBA Heat Guard Today because of such mistreatment.

### **Company Property**

Please keep your work area neat and clean and use normal care in handling company property. Report any broken or damaged equipment to your manager at once so that proper repairs can be made.

You may not use any company property for personal purposes or remove any company property from the premises without prior written permission from Richard Brindisi.

### **Conduct Standards & Discipline**

RMB Developments LLC DBA Heat Guard Today expects every employee to adhere to the highest standards of job performance and of personal conduct, including individual involvement with company personnel and outside business contacts.

The Company reserves the right to discipline or discharge any employee for violating any company policy, practice or rule of conduct. The following list is intended to give you notice of our expectations and standards. However, it does not include every type of unacceptable



behavior that can or will result in disciplinary action. Be aware that RMB Developments LLC DBA Heat Guard Today retains the discretion to determine the nature and extent of any discipline based upon the circumstances of each individual case.

Employees may be disciplined or terminated for poor job performance, including, but not limited to the following:

- unsatisfactory quality or quantity of work
- repeated unexcused absences or lateness
- failing to follow instructions or Company procedures, or
- failing to follow established safety regulations.

Employees may also be disciplined or terminated for misconduct, including, but not limited to the following:

- falsifying an employment application or any other company records or documents
- failing to record working time accurately or recording a co-worker's timesheet
- insubordination or other refusal to perform
- using vulgar, profane or obscene language, including any communication or action that violates our policy against harassment and other unlawful forms of discrimination
- disorderly conduct, fighting or other acts of violence
- misusing, destroying or stealing company property or another person's property
- possessing, entering with or using weapons on company property
- possessing, selling, using or reporting to work with alcohol, controlled substances or illegal drugs present in the employee's system, on company property or on company time
- violating conflict of interest rules
- disclosing or using confidential or proprietary information without authorization
- violating the Company's computer or software use policies, and
- being convicted of a crime that indicates unfitness for a job or presents a threat to the Company or its employees in any way.

## **Dress Policy**

Appropriate attire is required. Suppliers and customers visit our office and we wish to put forth an image that will make us all proud to be RMB Developments LLC DBA Heat Guard Today employees. Be guided by common sense and good taste. Specific standards will be required. Field employees will wear a company shirt and white work pants. Office employees will adhere to the policies as dictated by the HR department.

## **Drug and Alcohol Policy**

RMB Developments LLC DBA Heat Guard Today strives to maintain a workplace free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. Misuse of alcohol or drugs by employees can impair the ability of employees to perform their duties, as well as adversely affect our customers' and customers' confidence in our company.

### **Alcohol**

Employees are prohibited from using or being under the influence of alcohol while performing

company business for RMB Developments LLC DBA Heat Guard Today, while operating a motor vehicle in the course of business or for any job-related purpose, or while on company premises or a worksite.

### **Illegal Drugs**

RMB Developments LLC DBA Heat Guard Today employees are prohibited from using or being under the influence of illegal drugs while performing company business or while on a company facility or worksite. You may not use, manufacture, distribute, purchase, transfer or possess an illegal drug while in RMB Developments LLC DBA Heat Guard Today facilities, while operating a motor vehicle for any job-related purpose or while on the job, or while performing company business. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited.

### **Disciplinary Action**

Employees who violate this policy may be disciplined or terminated, even for a first offense. Violations include refusal to consent to and comply with testing and search procedures as described.

### **Searches**

RMB Developments LLC DBA Heat Guard Today may conduct searches for illegal drugs or alcohol on company facilities or worksites without prior notice to employees. Such searches may be conducted at any time. Employees are expected to cooperate fully.

Searches of employees and their personal property may be conducted when there is reasonable suspicion to believe that the employee has violated this policy or when circumstances or workplace conditions justify such a search. Personal property may include, but is not limited to, purses, boxes, briefcases, as well as any RMB Developments LLC DBA Heat Guard Today property that is provided for employees' personal use, such as desks, lockers, and files.

An employee's consent to a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including termination.

### **Drug Testing**

RMB Developments LLC DBA Heat Guard Today may require a blood test, urinalysis, hair test or other drug or alcohol screening of employees suspected of using or being under the influence of drugs or alcohol or where other circumstances or workplace conditions justify such testing. The refusal to consent to testing may result in disciplinary action, including termination.

## **Ethical and Legal Business Practices**

RMB Developments LLC DBA Heat Guard Today expects the highest standard of ethical conduct and fair dealing from each employee, officer, director, volunteer and all others associated with the Company. Our reputation is a valuable asset, and we must continually earn the trust, confidence and respect of our suppliers, our members, our customers and our community.

This policy provides general guidance on the ethical principles that we all must follow, but no

guideline can anticipate all situations. You should also be guided by basic honesty and good judgment, and be sensitive to others' perceptions and interpretations.

If you have any questions about this policy, consult your supervisor or manager. Exceptions to this policy may be made only by Owner Richard Brindisi.

You are expected to promptly disclose to the management of the company anything that may violate this policy. We will not tolerate retaliation or retribution against anyone who brings violations to management's attention.

### **Complying With Laws and Regulations**

All our activities are to be conducted in compliance with the letter and spirit of all laws and regulations. You are charged with the responsibility of understanding the applicable laws, recognizing potential dangers and knowing when to seek legal advice.

### **Giving and Receiving Gifts**

You may not give or receive money or any gift to or from a supplier, government official or other organization. Exceptions may be made for gifts that are customary and lawful, are of nominal value and are authorized in advance.

You may accept meals and refreshments if they are infrequent, are of nominal value and are in connection with business discussions.

If you do receive a gift or other benefit of more than nominal value, report it promptly to a member of management. It will be returned or donated to a suitable charity.

### **Employee Privacy and Other Confidential Information**

RMB Developments LLC DBA Heat Guard Today collects only personal information about employees that relates to their employment. Only people with a business-related need to know are given access to this information, and Owner Richard Brindisi must authorize any release of the information to others. Personal information, other than that required to verify employment or to satisfy legitimate investigatory or legal requirements, will be released outside the company only with employee approval.

If you have access to any confidential information, including private employee information, you are responsible for acting with integrity. Unauthorized disclosure or inappropriate use of confidential information will not be tolerated.

### **Accounting and Financial Reports**

RMB Developments LLC DBA Heat Guard Today's financial statements and all books and records on which they are based must accurately reflect the Company's transactions. All disbursements and receipts must be properly authorized and recorded.

You must record and report financial information accurately. Reimbursable business expenses must be reasonable, accurately reported and supported by receipts.

Those responsible for handling or disbursing funds must assure that all transactions are executed as authorized and recorded to permit financial statements in accord with Generally Accepted Accounting Principles.

### **Account and Customer Information**

Employees are prohibited from distributing account, client, and/or customer information to anyone, in any form, except the named account holder, client or customer.

### **Compliance**

Employees who fail to comply with this policy will be disciplined, which may include a demand for reimbursement of any losses or damages, termination of employment and referral for criminal prosecution. Action appropriate to the circumstances will also be taken against supervisors or others who fail to report a violation or withhold relevant information concerning a violation of this policy.

### **Grievances**

Employees are encouraged to bring concerns, problems and grievances to management's attention. You are also obligated to report any wrongdoing of which you become aware to your manager or, if the situation warrants, to any RMB Developments LLC DBA Heat Guard Today officer.

### **Smoking Policy**

#### General

Smoking is prohibited inside RMB Developments LLC DBA Heat Guard Today facilities or any work sites.

All employees, clients and other visitors are expected to comply with this policy, and employees who violate it may be disciplined.

Should you have a question, complaint or dispute about smoking in the workplace, contact HR.

#### Zero Tolerance for Workplace Violence

RMB Developments LLC DBA Heat Guard Today has a zero-tolerance policy concerning threats, intimidation and violence of any kind in the workplace either committed by or directed to our employees. Employees who engage in such conduct will be disciplined, up to and including immediate termination of employment.

Employees are not permitted to bring weapons of any kind onto company premises or to company functions. Any employee who is suspected of possessing a weapon will be subject to a search at the company's discretion. Such searches may include, but not be limited to, the employee's personal effects, desk and workspace.

If an employee feels he or she has been subjected to threats or threatening conduct by a coworker, vendor or customer, the employee should notify his or her supervisor or another member of management immediately. Employees will not be penalized for reporting such concerns.

## **Leave**

### **Military Leave**

#### General

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), RMB Developments LLC DBA Heat Guard Today prohibits discrimination against persons because of their service in the Armed Forces, the Army National Guard and the Air Force National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency.

#### Arizona

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), RMB Developments LLC DBA Heat Guard Today prohibits discrimination against persons because of their service in the Armed Forces, the Army National Guard and the Air Force National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in time of war or emergency.

Employees who are members of the National Guard can take up to 30 days of paid leave in a two year period when called for training.

### **Jury Duty**

#### General

RMB Developments LLC DBA Heat Guard Today supports employees in fulfilling their civic responsibilities by serving jury duty when required and fully compensates them for up to 0 of time they are required to serve.

However, you must inform your supervisor as soon as possible after receiving a jury summons so that arrangements can be made to accommodate your absence. And you will be expected to report for work during your jury service whenever the court schedule permits.

Insurance benefits will ordinarily remain in effect and unchanged for the full term of your jury duty absence.

## **General Employment**

### **Tools and Supplies**

Employees will be required to obtain tools and supplies as requested by the company. This will be done in an expedient amount of time no later than the 2<sup>nd</sup> pay period unless approved by management.

### **Employee Records**

#### General

An employee's personnel file consists of the employee's employment application, withholding forms, reference checks, emergency information and any performance appraisals, benefits data or other appropriate employment-related documents.

It is the employee's responsibility to notify the Payroll Department or Human Resources of any changes in name, address, telephone number, marital status, number of dependents, military service status, beneficiaries or person to notify in case of an accident.

Misrepresentation of any fact which you have provided information for on your application, in your personnel file, or any other document is sufficient reason for dismissal. Personnel records are considered company property and are not available for review by employees.

#### Reference/Background Checks

RMB Developments LLC DBA Heat Guard Today conducts reference and background checks on all new employees. Employees who have falsified information on their employment applications will be disciplined, which could include termination. Applicants who have provided false information may be eliminated from further consideration for employment.

### **Safety & Emergency**

#### **Fire Safety**

Every employee is responsible for recognizing potential fire dangers and taking an active role in preventing fires.

Employees are required to observe all OSHA safety requirements and regulations. Flammable materials are to be stored in covered metal containers. Employees should not block any fire doors, fire exits, fire extinguishers, windows or doorways. Review the fire escape routes posted in each work area.

## **Safety**

RMB Developments LLC DBA Heat Guard Today is committed to maintaining a safe and healthy environment for all employees. Report all accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues immediately to your manager.

If you or another employee is injured, contact your supervisor or manager immediately. Seek help from outside emergency response agencies, if needed. Contact information is posted Main Office.

You must complete an Employee's Claim for Worker's Compensation Benefits Form if you have an injury that requires medical attention. If your inquiry does not require medical attention, you must still complete a Supervisor and Employee Report of Accident Form in case medical treatment is later needed and to ensure that any existing safety hazards are corrected. You can obtain the required forms from .

A federal law, the Occupational Safety and Health Act, requires that we keep records of all illnesses and accidents that occur on the job. OSHA also provides for your right to know about any health hazards which might be present on the job.

In addition, the state Workers' Compensation Act also requires that you report any illness or injury caused by the workplace, no matter how slight. If you do not report an injury, you may jeopardize your right to collect workers' compensation payments as well as health benefits.

It is required by the company for employees to pass their OSHA certification courses before working on all jobs. HR will provide a log in and information to the employees once they are hired. Failure to adhere to passing courses will result in termination from the company.

You can get the required reporting paperwork from HR.

## **Security**

RMB Developments LLC DBA Heat Guard Today is committed to ensuring employees' security. Our premises are equipped with both security alarms that are active outside working hours and a fire alarm system. If you have a security concern or need more information about operating these systems, contact .

All employees are given identification cards when they join the Company. Wear your ID at all times while on Company business, whether you are on or off Company premises. If you leave RMB Developments LLC DBA Heat Guard Today, you must surrender your ID and any company keys you have been issued.

## **Emergency Measures (Inclement Weather)**

We realize that bad weather or hazardous commuting conditions may occasionally make it impossible for employees to report to work on time.

However, you are expected to make a diligent effort to report to work when conditions have improved. If you determine that you are unable to report to work because of the conditions, inform your supervisor as soon as possible. Your absence will be charged to personal or vacation time.

If it becomes necessary to shut down the office due to weather or other emergency, every effort will be made to notify employees. If there is a question as to whether the office will be open, call your place of work. If there is no answer within one hour after the normal start time, assume the office is closed.



Employee Non-Compete Agreement THIS EMPLOYEE NON-COMPETE AGREEMENT ("Agreement") is made as of \_\_\_\_\_, by and between HEAT GUARD TODAY") and \_\_\_\_\_ ("Employee").

Employee desires to give, and Employer desires to receive from Employee, a covenant not to engage, either directly or indirectly, in competition with, or to solicit any customer, client, or account of, Employer. The Employer and Employee desire to set forth in writing the terms and conditions of their agreements and understandings. NOW, THEREFORE, in consideration of the foregoing, of the mutual promises herein contained, and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending legally to be bound, hereby agree as follows:

1. Covenants Against Competition. Employee acknowledges that the services to be rendered to Employer have a significant and material value to Employer, the loss of which cannot adequately be compensated by damages alone. In view of the significant and material value to Employer of the services of Employee for which Employer has employed Employee; and the confidential information obtained by or disclosed to Employee as an employee of Employer; and as a material inducement to Employer to employ Employee and to pay to Employee compensation for such services to be rendered for Employer by Employee (it being understood and agreed by the parties hereto that such non-competition shall also be paid for and received in consideration hereof), Employee covenants and agrees as follows:

A. During Employee's employment by Employer and for a period of 30 days after Employee ceases to be employed by Employer, Employee shall not within sixty miles directly or indirectly, either for Employee's own account or as a partner, shareholder (other than shares regularly traded in a recognized market), officer, employee, agent or otherwise, be employed by, connected with, participate in, consult or otherwise associate with any other business, enterprise or venture that is the same as, similar to or competitive with Employer. By way of example, and not as a limitation, the foregoing shall preclude Employee from soliciting business or sales from, or attempting to convert to other sellers or providers of the same or similar products or services as provided by Employer, any customer, client or account of Employer with which Employee has had any contact during the term of employment.

B. During employment and for a period of three years thereafter, Employee shall not, directly or indirectly, solicit for employment or employ any employee of Employer.

C. During employment, and thereafter for three years, Employee shall not disclose to anyone any Confidential Information. For the purposes of this Agreement, "Confidential Information" shall include any of Employer's confidential, proprietary or trade secret information that is disclosed to Employee or Employee otherwise learns in the course of employment such as, but not limited to, business plans, customer lists, financial statements, software diagrams, flow charts and product plans. Confidential Information shall not include any information which; (i) is or becomes publicly available through no act of Employee, (ii) is rightfully received by Employee from a third party without restrictions; or (iii) is independently developed by Employee.

## **Receipt and understanding**

I acknowledge that I have received the RMB Developments LLC DBA Heat Guard Today Employee Handbook and that I have read and understand the policies.

I understand that this Handbook represents only current policies and benefits, and that it does not create a contract of employment. RMB Developments LLC DBA Heat Guard Today retains the right to change these policies and benefits, as it deems advisable.

Unless expressly proscribed by statute or contract, my employment is "at will." I understand that I have the right to terminate my employment at any time, with or without cause or notice, and that the Company has the same right. I further understand that my status as an "at will" employee may not be changed except in writing and signed by the President of the Company.

I understand that the information I come into contact with during my employment is proprietary to the Company and accordingly, I agree to keep it confidential, which means I will not use it other than in the performance of my duties or disclose it to any person or entity outside the Company. I understand that I must comply with all of the provisions of the Handbook to have access to and use Company resources. I also understand that if I do not comply with all provisions of the Handbook, my access to Company resources may be revoked, and I may be subject to disciplinary action up to and including discharge.

I further understand that I am obligated to familiarize myself with the Company's safety, health, and emergency procedures as outlined in this Handbook or in other documents.

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Signature

Date

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Please Print Your Name