

EMPLOYEE HANDBOOK

Revised: May 2026

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THE WAY WE WORK

GENERAL POLICY

Apex is a caring and supportive employer and recognizes the value of a satisfied and motivated workforce. We value honesty, hard work, accountability, ingenuity, constant learning and careful management of our resources. We provide our employees with a safe workplace and the resources to be productive and successful. We reinforce our values with salary, bonuses and incentives, benefits and recognition programs that promote employee wellness, career advancement, and personal growth. We share our business successeswith you.

Your employment relationship with Apex is “at will.” This means that your employment with us will last so long as both you and Apex choose to continue the relationship, without limitation on either party. It also means that either party may terminate the relationship at any time, for any reason or no reason, with or without notice.

Apex retains the right to manage its business including but not limited to, the right to determine the number, location and manner of operations, number of employees, and assignments of work; to transfer, promote, demote, lay off or terminate employees ; and to set rules, suspend, discharge or take other corrective or disciplinary measures.

Any and all benefits, wages, bonus payments or compensation of any and all other types, unless specifically vested or contracted for pursuant to a written plan approved by the Apex Board of Directors, are subject to and awarded at management's sole and absolute discretion.

The content of this manual represents a source of general information concerning Apex’s policies, procedures and work rules, as they exist on the date of publication. This manual is not intended to create, nor does it constitute, a contract of employment or a promise or guarantee of benefits or policies stated in it. This manual may be amended or added to at any time. When this happens, you will be notified of any material change(s).

HUMAN RESOURCES ADDITIONAL SUPPORT

Pursuant to a services agreement between Firstrust Bank (“Firstrust”) and Apex (as may be amended, modified, supplemented, or restated from time to time, the “Services Agreement”), Firstrust provides certain human resources services to Apex. The Chief Human Resources Officer of Firstrust Bank is responsible for the oversight and management of such services. Any references to Human Resources or the Human Resources Department shall mean the Firstrust Human Resources Department providing services to Apex pursuant to the Services Agreement. Nothing in this Handbook shall affect or modify the separate corporate identities of Firstrust and Apex nor shall it constitute or be interpreted to constitute a partnership, joint venture, or interlocking agreement between Firstrust and Apex. Firstrust is an independent contractor. In order to provide the services pursuant to the Services Agreement, the Human Resources Department maintains Apex employee records, including, without limitation, payroll records, medical records, benefits, and job descriptions. Apex employees are employees solely of Apex absent a written agreement to the contrary, Apex management controls all decision making with respect to Apex employees and has final decision-making power with respect to any and all employment-related decisions.

STANDARDS OF CONDUCT

POLICY ON EQUAL EMPLOYMENT OPPORTUNITY, AND HARASSMENT

Apex is committed to ensuring equal employment opportunity. All employment decisions, policies and practices are in accordance with applicable federal, state and local anti- discrimination laws.

Apex will not engage in or tolerate unlawful discrimination (including any form of unlawful harassment or retaliation and bullying) because of a person's race, color, religion, creed, sex, sexual orientation or affection, national origin, citizenship, gender, gender identity, age, genetic information, marital status, disability, covered veteran status, or membership in any other protected group nor will Apex engage in or tolerate unlawful discrimination on the basis of perceived inclusion or membership in any protected group.

For example, and by way of illustration only, Apex will not unlawfully consider an individual's membership in any protected group as defined above with regard to: sourcing, interviewing, hiring, compensation, benefits, training, assignment, evaluations, coaching, promotion, discipline, discharge and layoff.

Moreover, Apex makes good faith efforts to recruit qualified candidates. Apex's policy on equal employment opportunity supports and is consistent with Apex's commitment to enhancing inclusiveness.

This entire Policy applies to all of Apex's officers, managers, supervisors, employees and candidates . All such individuals are both protected under and restricted by this entire policy. You are protected in terms of your right to have a working environment free from unlawful discrimination, harassment and retaliation and other inappropriate conduct as described in this policy. You are restricted in terms of your being prohibited from engaging in bullying, unlawful discrimination, harassment and retaliation and other inappropriate conduct as described in this policy.

Policy Prohibiting Sexual Harassment
Sexual harassment is a form of sex discrimination, which Apex will not tolerate. Consistent with the foregoing, the following behaviors are prohibited regardless of the sex(es) or gender identity(ies) of the individuals involved:

- **To threaten or insinuate, expressly or implicitly, that any person is required to submit to sexual advances or to provide sexual favors as a condition of employment, continued employment or any term, condition or benefit of employment, or that a person's refusal to submit to sexual advances or to provide sexual favors will affect adversely the person's employment, continued employment or any term, condition or benefit of employment;**
- **To make any employment decision or take any employment action based on a person's submission to or refusal to submit to sexual advances;**
- **To engage in unwelcome sexually-oriented or otherwise hostile conduct which has the purpose or effect of interfering unreasonably with another person's work performance or of creating an intimidating, hostile, abusive or offensive working environment.**

The following behaviors, communications, etc. are inappropriate, and as such, prohibited, to the workplace or when representing the Company regardless of whether they are illegal:

- **Linking/conditioning any employment decision, benefits, etc. to a subordinate's submission or refusal to submit to sexual advances;**
- **Demands or requests for sex;**
- **Repeated requests for dates (if the recipient says "No");**
- **Providing preferential treatment to someone with whom you are having a sexual or romantic relationship;**
- **Sexual assault;**
- **Unwelcome and/or inappropriate physical contact, such as patting, pinching or brushing**

against another person's body;
- **Sexual bantering, "jokes" and "teasing";**
- **Sexual, suggestive or biased "jokes";**
- **Gender biased or stereotypic comments or other communications;**
- **Sexual flirtations, advances or propositions;**
- **Verbal abuse of a sexual nature;**
- **Verbal commentaries about an individual's body, sexuality, or sexual orientation;**
- **Sexually-degrading words used to describe individuals;**
- **Discussions of or questions about sexual desires, fantasies, experiences, frustrations, etc.;**
- **Pornographic or obscene materials or other communications of any kind;**
- **Sexually-explicit or sexually-suggestive objects, cartoons, software, photos, pictures, etc.;**
- **Sexually-oriented or degrading gestures;**
- **Verbal or nonverbal innuendo of a sexual, suggestive or biased nature;**
- **Other nonverbal communications of a sexual or suggestive nature, such as leers and gawks;**
- **Obscene, off-color or otherwise hostile language of a sexual, suggestive or biased nature;**
- **Any other behavior of a hostile or abusive nature directed at one sex, gender identity, or sexual orientation or preference, even if not sexual in nature;**
- **Any other inappropriate behavior of the kind or similar to that referred to here or elsewhere in this policy.**

It is important to remember that these prohibitions apply not only to oral and written communications, but also to e-mail, voice mail, Internet communications and searches, and other technology-assisted communications.

The prohibitions on inappropriate behavior set forth above apply not only in the workplace itself but also to all other work-related settings, such as meetings at customer work sites, as well as business trips and business-related social functions.

It is no defense to inappropriate behavior that there was no bad intent, that it was only a "joke," or that it was not directed at any particular person.

Harassment On Account Of/With Regard To Any Protected Group
Harassment based on an individual's membership in any protected group (for example, race, age, national origin, ancestry or disability) is equally prohibited and will not be tolerated. The following behaviors, communications, etc. are inappropriate, and as such, prohibited, regardless of whether they are illegal:

- **Derogatory comments about an individual's membership in any protected group;**
- **Jokes, comments or stories which have the purpose or effect of stereotyping, demeaning or making fun of any protected group, for example, racial "jokes," AIDS "jokes," or Catholic "jokes;"**
- **Nicknames which relate to a person's membership in any protected group;**
- **Verbal or non-verbal innuendo which relates to or reflects negatively upon any protected group, for example, mimicking a disabled employee's walk or an immigrant's accent;**
- **Hate symbols or other symbols which suggest the inferiority of any group, for example, "a white power sign;"**
- **Hostile, abusive or demeaning behavior, including threats, directed at an employee because of such employee's membership or perceived membership in any protected group, even if not racial, ethnic, religious etc. in nature;**
- **Stereotypic or biased comments or slurs about any protected group, for example, "they don't work hard;"**
- **Any other inappropriate behavior of the kind or similar to that referred to here or elsewhere in this policy.**

It is important to remember that these prohibitions apply not only to oral and written communications, but also

to e-mail, voice mail, internet and intranet communications and searches, and other technology-assisted communications.

The prohibitions on inappropriate behavior set forth above apply not only in the workplace itself but also to all other work-related settings, such as meetings at customer work sites, as well as business trips and business-related social functions.

It is no defense to inappropriate behavior that there was no bad intent, that it was only a "joke" or that it was not directed at any particular person.

Social Relationships
Sometimes social relationships may develop at work. While you have a right to say "yes," you also have an absolute right to say "no." Keep in mind a supervisor may not date or attempt to date anyone who is a subordinate (direct or indirect). If you feel any unwelcome pressure to become involved with any officer, manager, supervisor, co-worker, agent or non-employee with whom you come into contact in the course of your employment with Apex, we urge you to use the complaint procedure set forth in this policy. If you let us know there is a problem, we can help! In the absence of a complaint pursuant to the procedure that follows, Apex will assume that any relationship is entirely consensual and welcome.

Reasonable Accommodation
Upon request, Apex will make reasonable accommodations that do not impose an undue hardship on Apex on behalf of qualified individuals with disabilities of which Apex is made aware. Upon request, Apex also will make reasonable accommodations which do not impose an undue hardship on Apex with regard to an employee's religious observances, practices and beliefs of which Apex is made aware. If you need an accommodation for religious or medical reasons, please speak with your manager, or the Chief Human Resources Officer. Please speak with whichever person you feel the most comfortable, whatever your reasons.

Policy Prohibiting Retaliation
Apex will neither engage in nor tolerate unlawful retaliation of any kind against any person who makes a complaint of unlawful discrimination, harassment or retaliation, or serves as a witness or otherwise participates in the investigatory process. Prohibited retaliation includes adverse tangible employment actions, such as denial of a raise or promotion and may include, in some circumstances, other material changes in the terms and conditions of employment. It is no defense of retaliation by any person (officer, manager, supervisor, etc.) even in circumstances when the complaint did not have legal merit. Prohibited retaliation under this policy will be handled in the same manner and subject to corrective action to the same degree as any other violation of this policy.

Discrimination, Retaliation, Harassment Advanced By Nonemployees
The prohibitions against unlawful discrimination, retaliation and harassment set forth in this policy apply not only to the conduct of employees of our Company but also to the conduct of non- employees (for example, customers, vendors, suppliers and contractors) with whom our employees come into contact in the course of their employment with Apex. Consequently, if you feel discriminated or retaliated against, or harassed (sexually or otherwise) by a nonemployee in the course of your employment with Apex, you should use the procedure set forth below. Conversely, the prohibitions against unlawful discrimination, harassment and retaliation set forth in this policy apply to your conduct relative to non-employees with whom you come into contact in the course of your employment with Apex.

What To Do If You Feel You Have Been Subjected To or Witness Discrimination, Harassment Or Retaliation – "If you see something, say something."
If you believe that you may have been, or anyone else may have been, unlawfully discriminated against, harassed by or retaliated against by any officer, manager, supervisor, co-worker, agent or nonemployee in violation of this **Equal Employment Opportunity Policy**, you should report your concerns immediately to your manager, the Human Resources Department or the Chief Human Resources Officer. If your concern is

with the Human Resources Department or the Chief Human Resources Officer, you can speak to the President of Apex.

Apex encourages open and respectful dialogue as a means to foster an inclusive workplace and community. This is not limited solely to the victims of unlawful discrimination, harassment, or retaliation on the basis of any protected class. We all are responsible for fostering a community of respect and inclusivity. If you witness any violation of Apex's Equal Employment Opportunity Policy or policy against unlawful discrimination, harassment, and retaliation in the workplace, whether by a co-worker, a vendor, a customer, or anyone else, you are encouraged to speak with any of the individuals identified above or to report the behavior in accordance with Apex's Open Door Policy as described in the Apex Dispute Resolution Program. Similarly, if you have any question as to whether certain conduct is unlawful discrimination, retaliation, or harassment, you are encouraged to speak with any of the individuals identified above.

All complaints will be investigated promptly, and the existence and nature of your complaint will be disclosed only to the extent necessary to make a prompt and thorough investigation or as may be necessary to take appropriate corrective measures. Apex will neither engage in nor tolerate any form of unlawful retaliation against any person for making a complaint alleging unlawful discrimination, harassment or retaliation, or for serving as a witness or otherwise participating in the investigatory process. If you are not entirely satisfied with how your complaint has been handled, for whatever reason, you may appeal your complaint to the President of Apex, who may consult with the Chief Human Resources Officer of Firstrust. If your initial report was to the President, you may request an appeal by submitting your request to the Chief Human Resources Officer. Your appeal should be in writing to help ensure that the person you contact is clear that you wish to appeal. While we encourage you to be detailed, it is sufficient to say, "I wish to appeal my EEO complaint."

Sanctions For Violations Of Apex's Equal Employment Opportunity Policy

Any officer, manager, supervisor, employee, agent or nonemployee who, after appropriate investigation, has been found to have engaged in unlawful discrimination, harassment, retaliation, and/or inappropriate behavior inconsistent with this policy (even if not unlawful) will be subject to appropriate corrective action, up to and including termination of one's employment or other relationship with Apex.

If the Company concludes, after appropriate investigation, that there has not been any unlawful discrimination, harassment, retaliation, and/or inappropriate behavior inconsistent with this policy, the parties will be so informed. In these circumstances, while the accused will not be subject to corrective action, the prohibition on unlawful retaliation still shall apply.

DRUG FREE WORKPLACE

It is company policy to have a 100% drug-free workplace for all of its employees. "Drug" is defined as any chemical substance for which the employee does not have a physician's prescription for a specific purpose, and includes, but is not limited to illegal drugs, legal prescription drugs not used in accordance with a physician's prescription, alcohol, inhalants and any other chemical substance. You may not use, possess, manufacture, dispense, distribute, sell or be impaired by any Drug in the workplace, while on company premises or at any place while conducting business for or on behalf of Apex.

If your doctor prescribes medication for you, including but not limited to medical marijuana, it is your responsibility to ensure your ability to work within the standards of care normally accepted for your position. In addition, you must ensure that your safety and the safety of others will not be affected by your taking the medication. Failure to meet these standards may lead to corrective action, up to and including termination from employment. In addition, employees may be disciplined or terminated for possessing, or using marijuana in the workplace, regardless of whether they have a valid prescription for such use.

If you have a problem with drugs and/or alcohol and wish to undertake rehabilitation, you will be granted an unpaid leave of absence for this purpose. It is your responsibility to seek help. No one will be discriminated against for undertaking rehabilitation.

Testing
Apex reserves the right to require an employee to undergo drug and/or alcohol testing under the following circumstances:

- **Reasonable Suspicion Testing: An employee may be asked to submit to testing when Apex has a reasonable suspicion that the employee is under the influence of drugs or alcohol. A reasonable suspicion may arise from, among other factors, an employee's appearance, behavior, or speech, a co-worker's report or complaint, the presence of drugs or drug paraphernalia in the employee's immediate work area, or other evidence of performance decline or behavioral changes.**

- **Post-Accident Testing: Testing may be required following any work-related accident or any violation of safety precautions or standards, whether or not an injury resulted from such accident or violation, provided that the circumstances give rise to a reasonable suspicion that the employee may be impaired by drugs or alcohol.**

Testing Methods and Collection Procedures
Testing may take the form of urinalysis, blood tests and/or testing of breath, saliva, hair and/or other samples. Samples will be collected in a manner to protect the privacy of the individual to the greatest extent possible.

Sample testing will comply with scientifically accepted analytical methods and procedures and will be conducted at an approved third-party laboratory. Sample collections will be documented through proper labeling and chain-of-custody procedures and will be stored and transported in a manner reasonably designed to preclude the possibility of sample contamination, adulteration, or misidentification. Any positive drug test results will be confirmed by use of a chromatographic technique, such a gas chromatography-mass spectrometry or another comparably reliable analytical method.

Information and records relating to test results will be kept confidential to the extent required by law. Individuals may, upon request, obtain the written results of any tests conducted on that individual, and will have the opportunity, upon request, to explain the positive test result in a confidential setting.

Consequences for Policy Violation
Upon notice of any violation of this policy, Apex will initiate one or more of the following actions:

- **Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program through Apex's employee assistance plan, or rehabilitation programs approved for such purposes by a Federal, State, or local health law enforcement, or other appropriate agency;**
- **Take appropriate corrective action against such an employee, up to and including termination of employment.**

If you are struggling with addiction, we urge you to seek immediate assistance. Carebridge is our employee assistance program available to employees and their immediate family members with a wide variety of counseling, well-being and other services. Carebridge has a seasoned team of highly trained and qualified professionals who will assess your needs and assist you with finding relevant resources to help you combat alcohol or substance abuse. Your outreach to them is free and confidential. Carebridge is available 24/7 at 1-800-437-0911 or download the Carebridge app from the App Store or Google Play.

Apex does not discriminate or retaliate against any qualified individuals with a disability and will implement this policy in compliance with the Americans with Disabilities Act and applicable state law. In addition, Apex does not discriminate or retaliate against individuals who are medical marijuana cardholders, in accordance with applicable state law. Apex will keep information concerning test results confidential to the extent required by law. Apex may search employee personal property located on Apex's premises including, but not limited to, work areas, desks, purses, backpacks, gym bags, briefcases, file cabinets, lockers, vehicles, and any other item or location where Drugs may be present. The unauthorized presence of Drugs, or the refusal to consent to a search, may result in corrective action, up to and including termination.

DEFINITIONS OF EMPLOYMENT CATEGORIES

EXEMPT EMPLOYEE – An individual who is exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) because they are classified as an executive, professional, administrative or outside sales employee, and meet the specific criteria for the exemption. With some limited exceptions, exempt employees must be paid on a salary basis.

NON-EXEMPT EMPLOYEE – An individual who is not exempt from the overtime provisions of the FLSA and is therefore entitled to overtime pay for all hours worked beyond 40 in a workweek (as well as any state overtime provisions). Nonexempt employees may be paid on a salary, hourly or other basis.

REGULAR FULL-TIME - Employees who are scheduled to work 30 or more hours per week on a regular basis. These employees are normally eligible for all employee benefits and group insurance programs.

REGULAR PART-TIME - Employees who are regularly scheduled to work at least 20, but less than 30 hours per week. Part-time employees are not eligible for insurance programs, but may be eligible for 401(k) plan participation if their hours worked exceeds 1,000 hours in a calendar year and other select benefits (see EMPLOYEE BENEFITS).

PEAK-TIME - Generally, peak-time employees work less than 20 hours per week. Peak-time employees are not eligible for any benefits, except for Discounted Banking Services and Employee Assistance Programs (i.e. Carebridge, Guardian Nurses).

TEMPORARY - Anyone hired for a specific and limited period (e.g. summer) or for a specific defined task. Upon completion of the pre-arranged time or task, their employment is ended. Temporary employees may be either full-time or part-time, and are not eligible for any benefits.

ATTENDANCE, OVERTIME AND TIME TRACKING

Apex has a standard 40-hour workweek, although individual working hours may vary according to office requirements. Full-time employees typically work 40 hours per week, but at a minimum must work at least 37.5 hours per week, with at least a half-hour meal break each day. A workweek is defined as the seven-day period from Monday through Sunday.

Normal working hours may vary by department. Your supervisor is responsible for setting work hours so that each area is adequately staffed at all times. Employees are expected to report to work on time, and to be ready to perform their jobs when business hours begin.

Attendance and punctuality are very important parts of the employee job performance. Absenteeism places a burden on other employees who have to perform the absent employee's duties. Absenteeism and lateness can cause scheduling problems for the department and can adversely affect our ability to serve our customers. For these reasons, a pattern of excessive absenteeism and/or lateness will not be tolerated and is subject to corrective action.

Occasionally, it is necessary to be absent from work due to illness or circumstances beyond your control. When an employee has an unscheduled absence from work or will be late, they should contact their immediate supervisor directly. Such notification is to be made as soon as possible but no later than within 30 minutes before the normal starting time. If your supervisor is not available, you must leave a voicemail message. It is your responsibility to speak to your supervisor or team leader personally and keep your supervisor informed every day as to when you expect to return to work. It is also your responsibility to record your absences in our attendance and time tracking software. When you have an unscheduled absence, you must use your Flex days followed by your accrued vacation time.

Progressive corrective action, up to and including termination of employment, may result for employees who are repeatedly absent and/or late to work or who fail to keep their supervisor informed regarding an absence or lateness as detailed in this section.

Not reporting to work and not calling to report the absence is a no-call/no-show and is a serious matter, creating increased administrative burdens. The first instance of a no-call/no-show will result in a final written warning. The second separate offense may result in termination of employment with no additional corrective action steps. Any no-call/no-show lasting 3 days is considered job abandonment and will result in immediate termination of employment.

Work Arrangements – In office, Hybrid and Remote Work

Apex supports making the work environment "work" for employees by providing varied arrangements. These include the following: Variable work hours, reduced or part-time schedules, compressed workweek, hybrid schedules, and remote work. Each employee should work with their manager to determine an appropriate work arrangement based on balancing the needs of the business operations and employee requests. Managers shall discuss these arrangements with their senior manager and should regularly review work arrangements as warranted by business needs.

Employees permitted to work hybrid schedule/remotely must continue to abide by Apex's policies, including this manual, Apex's Information Technology Policy Manual, and workplace safety policies. Nonexempt employees who are permitted to work remotely must comply with Apex' timekeeping practices and employees must accurately record all working time.

Pay and Overtime

Employees are paid on a biweekly basis every other Friday, on a one-week lag. That pay will include regular hours worked through the previous Sunday, plus any overtime pay earned during the pay period. Supervisors must authorize non-exempt employees' overtime in advance. Non-exempt employees will be paid an overtime rate of time and one-half for any hours worked in excess of forty hours in one given workweek. Compensatory time off may not be granted in lieu of paying overtime. Note: Paid time off such as Flex days, Holidays, and Vacation time does not count as hours worked.

Time Tracking

Non-exempt employees are required to complete time sheets showing the total number of hours worked each week to include starting time, lunch break (in and out) and leaving time. Time sheets constitute the official record of hours worked and are the basis for determining pay. Any employee who purposely falsifies one's timecard or, in the case of managers, a subordinate's timecard will be subject to corrective action up to and including termination of employment. An employee may not sign-in or work more than five (5) minutes before their scheduled hours begin or sign-out, or work, more than five (5) minutes after their scheduled hours end, except with the specific authorization of their supervisor. Managers must verify the hours recorded by their employees is accurate and approve their employees' timecards by stated payroll deadlines.

Exempt employees shall record only absences of at least half day increments, other than for FMLA. Attendance records will be reviewed regularly by each department manager for accuracy and compliance with company policies.

Meals and Breaks

Breaks or rest periods during the day can benefit a department's productivity. Breaks are considered time worked, shall be short, and must not interfere with the performance of other team members. Employees on break must remain on company property. The break policy for a department is solely at the discretion of the department manager.

All employees should take at least a half-hour meal break during a workday of five or more hours. Employees on meal breaks are not required to stay at or near their workstations and should not perform any work-related duties.

Whether breaks for meals or rest need to be provided and, if so, for how long, are matters that are legally controlled, if at all, by state standards. Please contact your manager for information about meal and rest period policies and/or practices.

CONFIDENTIALITY OF EMPLOYEE RECORDS

Information contained in an employee's file is confidential. It shall be disclosed only on a need- to-know basis, or upon presentation of a duly authorized subpoena as advised by the Legal Department. Access to the file is limited to Human Resources staff, the employee's supervisor, Internal Audit, regulatory agencies,the employee under the supervision of an HR staff member) and, if in response to a subpoena, appropriate members of the Legal Department. Improper disclosure of confidential information, including but not limited to medical history, will result in corrective action up to and including termination of employment.

Access to Employee Personnel File Policy

Employee personnel records are maintained by the Human Resources department. As required by law, some records relating to medical issues and internal investigations are maintained in separate files. For purposes of this policy, a personnel file includes records related to performance and training as well as other records used for hiring, promotion and disciplinary decisions. The personnel file does not include any reference checks, medical records or investigation files.

Employees, or their legal representative, may request access to their personnel file by submitting a request to Human Resources in writing. Upon receipt of the written request, Human Resources will schedule an appointment for the employee, or their legal representative, to view the file during normal office hours. Employees and their legal representatives are not permitted to remove any documents from the personnel file but may provide a written response to any document in the personnel file. Written responses will be attached to the original document in the personnel file.

Employees and their legal representatives may also request copies of documents in their personnel file. Requests for copies must be made in writing to Human Resources.

Keep Us Informed

Keeping your records correct and up to date is important because it enables the company to reach you in an emergency, properly maintain your insurance and other benefits, and compute your payroll deductions. In the event of changes in personal information (i.e. name, address, telephone number, marital status, beneficiaries, number of dependents, emergency contact information, and/or payroll direct deposit account), employees must complete the address change form in the time and attendance system – Dayforce. HR may require additional forms to be completed to execute the change.

COMMUNICATIONS AND PROBLEM SOLVING

Open and frequent communication between you and your supervisor is the foundation for a satisfactory working relationship. Company management is committed to providing you an "open door" for questions and concerns. Your responsibility is to use this channel to voice your questions and concerns.

There are a variety of ways through which you can solve problems without fear of retaliation. Whenever possible, try to solve your problem by talking with your supervisor first. If this does not help, you may take your problem to the next higher level of management. You may also feel free to consult confidentially with a Human Resources Business Partner, who will guide you in the problem-solving process.

Depending on the nature of your problem, Apex's Dispute Resolution Program is also available to you to handle difficult situations. You may access a copy of the Dispute Resolution Policy on Apex's intranet.

WORKPLACE STANDARDS

Good Housekeeping

The nature of our business demands that we be accurate and efficient in our work, and careful with valuable business documents. All employees should periodically review and make sure they comply with the Clean Desk Policy. It is also important that we convey such an image of ourselves to our customers. For us to satisfy these demands, we must keep our working quarters neat and well arranged. "Good Housekeeping" also requires taking proper care of the common areas, office supplies and equipment we use in order to minimize waste and repairs.

Personal Telephone Calls, Text Messages, Mail, Internet or E-Mail

With the exception of emergencies, personal communications (i.e. telephone calls, text messages, and personal emails) should not be made or received during business hours. If a personal communication must be made or received, the time spent in conversation must be kept to a minimum.

Apex should not be used as an address for receiving personal mail. The company's mail system and postage machines must never be used for outgoing personal mail.

Please refer to our Information Technology Policy Manual for the full policy concerning acceptable use of company email, internet, communication devices, and social networking sites.

Appearance Policy

Each employee contributes personally to a favorable public impression of the bank by one's dress and grooming. Your professional appearance helps to reassure our customers that their confidence in us is well-placed and demonstrates your respect for the bank and your coworkers.

You are expected to dress in the business-like manner that is appropriate to your job following the guidelines set forth by your specific department or manager. This will be more formal in customer contact functions than in support functions. However, for all employees this is defined at the minimum as neat, clean, and coordinated. Hair, including facial hair, if applicable, shall be clean and neatly groomed. Proper shoes shall be worn at all times. Heavy scents, and any extremes of fashion are not acceptable.

Employees who work in our Office may dress "business casual" every day. At Firstrust, this means comfortable and business-like. Business casual attire includes, but is not limited to casual pants and jeans without holes, frays, etc. skirts, dresses, shirts with collars, crewneck or V-neck shirts, blouses, and golf and polo shirts, Casual slip-on or tie shoes, dress sandals, and clean athletic shoes. If you are planning to meet with a customer at their site, please determine what their appearance policy is in advance, or wear appropriate business attire. As always, employees are encouraged to exercise judgment and good taste in selecting the appropriate apparel and grooming for our work environment. If in doubt, wear business professional attire. If you desire an accommodation for religious or cultural reasons, because of a medical condition, or for any other reason, please speak with your manager or with Human Resources.

Supervisors shall determine when an employee's appearance is not appropriate for their setting and take action including requiring the employee to go home to change into appropriate apparel or take other corrective action, as appropriate.

Tobacco Free Workplace Policy

Apex is a tobacco free workplace. This policy includes all tobacco products and electronic cigarettes. Consistent with our mission, we strive to provide a clean and healthy environment, and to promote good health and well-being for our customers and employees. Smoking, vaping, or any other tobacco use by employees is prohibited inside all Bank facilities.

Although Apex does not encourage tobacco use, any chewing, smoking or vaping must be down outside and away from the building discreet to customer viewing. Employees may use the smoking facilities during breaks and unpaid time. Supervisors are expected to fairly administer productivity standards for all of their employees.

WORKPLACE ACCESS HEALTH & SAFETY GUIDELINES

The health and safety of our employees, customers, and visitors remains paramount within our workplace. While employees may be absent from work for illness from time to time, Apex has adopted policies and procedures to limit the transmission of contagious illnesses within the Workplace. All employees working in any company facility or meeting with customers or other employees in any location are required to follow these guidelines without exception. All employees are further required to abide by all Apex policies, including the Employee Handbook, Information Technology Policy Manual, and workplace safety policies, whether working on-site or remotely. Failure to follow any Apex policies may result in corrective action up to and including termination of employment. As used in these Workplace Access Health and Safety Guidelines, the term "Workplace" is defined as any premise owned or occupied by Firstrust, including any of its affiliates or subsidiaries.

Workplace Guidelines

The Workplace is defined as any premise owned or occupied by Apex, including any of its affiliates (for example, Firstrust) or subsidiaries.

One or more of the following symptoms below may indicate you have a common respiratory viral illness related to COVID-19, flu, or RSV.

- Fever or chills
- Cough, shortness of breath or difficulty breathing
- Fatigue
- Headache
- Sore throat
- Congestion or runny nose
- Other

Respiratory Virus Recommendations (including COVID-19)
Stay at home and contact your manager should you have symptoms associated with a respiratory viral illness.

Recommended actions when ill with a respiratory virus:

- ***Stay home and away from others***
- ***Return to work after you are fever free for 24 hours without fever reducing medication***
- ***Overall symptoms are improving***

Once an employee returns to work, they should take additional preventative measures over the next five days such as wearing a well fitted mask, distancing from others, good hygiene such as washing hands frequently, and / or getting testing for respiratory viruses.

As part of the guidance, Centers of Disease Control "CDC", offers the following:

- ***Stay up to date with vaccinations to prevent more severe illness***
- ***Practice good hygiene with sanitizing surfaces and hand washing, covering, coughs/sneezes***
- ***Cleaner Air***

For more information on common respiratory illness - Centers for Disease Control and Prevention | CDC.

SAFETY & SECURITY

Working Conditions

The safety of all company employees is very important to us and the organization makes every reasonable effort to provide safe working conditions. Most accidents occur because of unsafe acts rather than unsafe conditions. Safety is everyone's responsibility. Employees are urged to report any unsafe conditions to their supervisors and/or the Facilities department immediately.

Policies, including this manual, may be amended from time to time to address unique health and safety issues, including, but not limited to, those that may arise during a pandemic. In these cases, Apex may issue interim safety rules and guidelines, including guidelines consistent with those issued by the Centers for Disease Control and Prevention (CDC), the World Health Organization (WHO), the Occupational Safety and Health Administration (OSHA), and any state or municipal guidelines applicable to your work location. You are required to comply with all Apex rules and guidelines, as well as any applicable federal, state, and local laws regarding workplace safety and public health guidelines and restrictions. Apex may institute mandatory remote work arrangements to the extent feasible and consistent with business necessity or may change your schedule or work location to minimize the number of employees in the workplace at any given time.

Not all job functions can be performed remotely. In the event Apex implements temporary remote work arrangements due to health and safety concerns Apex will consider whether certain job functions can be performed remotely on an ongoing basis including whether the work activities can be performed effectively outside of the office.

Apex reserves the right to modify its policies at any time in its sole discretion to adapt to changing circumstances and business needs, consistent with its commitment to maintaining a safe and healthy workplace. Apex may implement specific requirements to enter Workplace premises and when attending in-person meetings, when using any common areas while on Workplace premises, when interacting with other employees or while working, and when meeting with customers, clients, or vendors wherever located.

Apex may require separate agreements and acknowledgments by employees to such modification or additional policy prior to returning to work on-premises or to commence or continue a remote work arrangement. Each employee’s full cooperation and full compliance with this and other health and safety workplace policies is necessary to make them effective. If an employee requires an accommodation regarding a particular health and safety workplace policy, the employee should follow the reasonable accommodation procedures set forth in this Manual.

Accidents or Injuries

If an employee or customer experiences an accident or injury on Workplace premises, no matter how seemingly small, your supervisor should be notified immediately.

Upon notification of an injury, the supervisor is required to notify the Legal Department if the accident/injury involves a customer or other visitor (contractor, vendor, etc.), or to notify Human Resources if the accident/injury involves an employee.

Security

Unauthorized persons are not permitted to wander our facilities. Employees should be vigilant when using a security fob to access secured areas and not let in unknown or unauthorized people. Employees should question strangers, direct them to public areas, or notify a supervisor immediately in the event of any suspicious individuals or activities on the premises.

Employees are urged to safeguard their personal items by making sure their valuables or money is secured,

placed out of sight and not left atop of work areas. When parking is available on Workplace grounds, it is at the person's own risk. Likewise, if personal property is left in any car parked on Workplace grounds, it is left at the person's own risk. Apex does not accept responsibility for the loss of personal property.

If a situation warrants, Apex also reserves the right to search an employee or their personal property located on Workplace premises, including, but not limited to, work areas, desks, purses, backpacks, gym bags, briefcases, file cabinets, lockers, vehicles, and any other item.

Workplace Threats or Violence

Apex is committed to preventing workplace violence and to maintaining a safe work environment. In order to do so, Apex has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on Workplace premises.

All employees, including managers and temporary employees, customers and vendors, and business associates should be treated with courtesy and respect at all times. Employees are expected to refrain from conduct that may be dangerous to others or inappropriate.

Conduct that threatens, intimidates, or coerces another employee, a client, a vendor or a member of the public at any time, whether on Workplace premises or representing Apex off company premises, will not be tolerated. Apex resources may not be used to threaten, stalk or harass anyone at the workplace or outside of the workplace. Apex treats threats coming from an abusive personal relationship as it does other forms of violence. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, sexual orientation or preference, gender identity, race, age, or any characteristic protected by federal, state, or local law.

All threats of, or actual violence, both direct and indirect, should be reported to your manager, Human Resources, or any other member of management. This includes threats by employees, as well as threats by clients, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. Employees should not place themselves in danger, nor should they attempt to intercede during an incident. Employees should promptly notify Human Resources of any protective or restraining order that they have obtained that lists the workplace as a protected area. Apex will not retaliate against employees making good- faith reports.

All suspicious individuals or activities should also be reported as soon as possible to a manager or Human Resources. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of the investigation, Apex may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt corrective action up to and including termination of employment.

Employee and Management procedures for handling a crisis involving violence in the workplace include:

If you are faced with a violent individual:

- **Don't resist;**
- **Call the police (911) if possible;**
- **Make eye contact;**
- **Stop what you are doing and give that person your attention;**
- **Speak calmly – try to build trust;**
- **Be honest and open;**
- **Listen – let the person have one's say;**
- **Offer feedback to assure that you understand;**
- **Try to reach a peaceful compromise – then listen.**

After the crisis is over, call the police if you have not yet already done so. Try to remember the following steps:

- **Do not touch or change anything at the scene;**
- **Do not clean up, wash, or change clothes;**
- **Carefully and accurately describe what happened, the attacker, and any previous threats;**
- **Be examined by a physician if necessary;**
- **Complete an Incident Report and send it to Human Resources.**

EMPLOYEE BENEFITS

We care about the well-being of our employees and partner with you in a variety of ways to improve your physical, mental and financial wellness. A description of medical, wellness, life and retirement benefits can be found in the Benefits Guide in the Beneportal and in the applicable plan documents. In the event of any inconsistencies, the plan documents are controlling.

PAID TIME OFF

HOLIDAYS

Apex recognizes certain national holidays by closing its offices. The Holiday Schedule is published annually on the employee intranet calendar in addition to the BenePortal at the following link: Microsoft Word - Remaining 2025 and 2026 Holiday Schedule

All full-time employees will be paid for holidays when the holiday falls on a normal working day. If the holiday falls on a Saturday or Sunday, the decision whether or not to grant a compensatory day will be made by executive management.

Part-time employees who work over 20 hours per week will be paid for each holiday as follows:

Part-time employees who regularly work on the same days will be paid for holidays in the full amount of hours that they are normally scheduled to work that day. If the employee is not normally scheduled to work that day, they are not eligible to receive the corresponding holiday pay.

Employees who work on varying days within a pay period will be paid the average number of hours they work per day, for each holiday throughout the year. This average should be calculated by dividing the number of scheduled hours per week by 5 days.

Employees who are authorized to work on a holiday will be paid regular time for the hours worked on the holiday and will receive a compensatory floating holiday.

VACATION DAYS

There is a need and a value for vacation periods, and the company encourages each employee to take the vacation time of one's choice consistent with this policy and subject to departmental staffing needs.

All eligible employees must take vacation that includes 5 consecutive days that the company is open for business. Apex reserves the right to schedule vacations and to change vacation schedules when necessary.

Eligibility and Allowance

Full-time and part-time employees who are regularly scheduled to work at least 20 hours per week shall become eligible for paid vacation benefits following 3 months of employment. New employees shall be eligible for paid vacation within the calendar year of their employment according to the following schedule:

Hired between January 1 – March 31	
Non-exempt employees	2 weeks
Exempt employees	3 weeks
Hired between April 1 – June 30	
Non-exempt employees	5 days
Exempt employees	2 weeks
Hired between July 1 – August 31	

Non-exempt employees	3 days
Exempt employees	1 day for each full month of employment
Hired between September 1 - 30	
All new employees	1 vacation day this calendar year
Hired after October 1	0 vacation days this calendar year

Vacation eligibility is determined as of January 1st each calendar year. Eligible employees shall receive paid vacation according to the following schedule:

Non-exempt employees

0-2 full years	2 weeks
3-4 full years	2 weeks and 2 days
5 full years	3 weeks
Exempt employees	3 weeks

Vacation time for the year is able to be used in January, however, it is “earned” throughout the year based on the individual’s vacation-eligible time worked during the year.

The following chart reflects the method used to calculate accrual of vacation for each calendar year:

Vacation Eligibility	Accrual Rate: Days accrued per month of active
2 weeks	0.83
2 weeks and 2 days	1.00
3 weeks	1.25

Pay of Vacation Time

Full-time employees who work 80 hours biweekly are paid Vacation time at their regular rate of salary based on 8-hour days.

Employees who work less than 80 hours biweekly are paid Vacation time at their regular rate of salary based on the following number of hours per day:

Part-time employees who regularly work on the same days within a pay period are paid based on the average amount of hours worked each day over the pay period. This is calculated by dividing the total number of scheduled biweekly hours by the total number of days the employee is scheduled to work biweekly.

Part-time employees who work varying days within a pay period are paid based on the average amount of hours worked over two “standard” work weeks. This is calculated by dividing the total number of scheduled biweekly hours by 10 days.

Please note, once a Vacation day is taken and processed in payroll, it cannot be re-characterized as any other type of pay or unpaid time off.

Buy or Sell Vacation Time

Full-time and part-time employees who are regularly scheduled to work at least 20 hours per week are able to either BUY or SELL one vacation week each calendar year. Employees may not both buy a week of Vacation and also carryover unused Vacation time from the previous year. The intention to buy or sell Vacation time must be approved by your manager and the approved request sent to Human Resources in advance of each calendar year. The total Vacation buy/sell debit or credit amount will be split over the 26 pays within the calendar year. It will not be paid or deducted in a lump sum.

Managers may refuse an employee's request to buy additional Vacation due to unusual work demands, but such rejection shall be agreed to only after approval by Apex Leadership and Human Resources.

Carryover Vacation Time
We encourage all employees to use all earned Vacation within the calendar year. If you do not use your Vacation, your unused days, up to a maximum of 5, will be carried over automatically and must be used by June 30 of the following year. All exceptions require department manager and Human Resources approval. In all cases, exceptions must be communicated to the Human Resources department to maintain accurate time off records. In no case, will unused carryover Vacation be paid out upon termination.

Procedures
Time off - If two or more employees in a given department request the same vacation period and the department can accommodate only one request, preference may be based on a variety of considerations including workload, who first requested the time off and/or seniority. Managers shall resolve these conflicts in the manner which best accommodates both personal and business needs.

Holidays – In the event a legal holiday occurs during a scheduled vacation week, a Vacation day will be restored and may be taken at the convenience of the department.

Scheduling – Each department manager shall solicit annual vacation requests in the first quarter of the year to facilitate planning for staffing and service delivery. Individuals shall make all vacation requests at least (2) weeks in advance of the planned vacation. Vacation time shall be taken in no less than hourly increments for non-exempt employees and half day increments for exempt employees.

Reporting – All Vacation and Flex days must be electronically submitted by the employee and approved by the manager in Dayforce as soon as reasonable but no later than the end of the payroll period during which time off was taken. Managers are responsible for reviewing and approving the accuracy of all time keeping records in advance of the bi-weekly deadline for payroll processing.

FLEX DAYS

It is recognized that employees need flexible time off for personal or family illness, to conduct personal business, to observe ethnic or religious holidays, or for wellness reasons. It is also true that unscheduled absences from work can place a burden on coworkers. Except for occasions when Flex days are used for unexpected personal/family illness or personal emergency, employees should request Flex days in advance whenever possible to ensure adequate staffing for your work area. Flex days must be used in no less than hourly increments for non-exempt employees and half day increments for exempt employees. Note: When you have an unscheduled absence, you must first use your Flex days followed by your vacation time.

Employees are eligible for 7 Flex days per year, except in the first year of employment. Eligible employees in their first calendar year of employment with Apex will receive Flex days as follows:

Month of Hire	Flex Days	Month of Hire	Flex Days
January	5.0	July	2.0
February	4.5	August	1.5
March	4.0	September	1.0
April	3.5	October	0
May	3.0	November	0
June	2.5	December	0

Pay of Flex Time
Full-time employees who work 80 hours biweekly are paid Flex time at their regular rate of salary based on 8-hour days.

Employees who work fewer than 80 hours biweekly are paid Flex time at their regular rate of salary based on the following number of hours per day:

- **Part-time employees who regularly work on the same days within a pay period are paid based on the average amount of hours worked each day over the pay period. This is calculated by dividing the total number of scheduled biweekly hours by the total number of days the employee is scheduled to work biweekly.**
- **Part-time employees who work varying days within a pay period are paid based on the average amount of hours worked over two "standard" work weeks. This is calculated by dividing the total number of scheduled biweekly hours by 10 days.**

Once a Flex day is taken, it cannot be re-characterized as any other type of pay or unpaid time off.

UNPAID TIME OFF

Attendance is a job requirement and failure to manage your time off resulting in unpaid time out of the office may be subject to corrective action up to and including termination. The company provides employees paid time off for planned vacation as well as unforeseen and known personal needs. Employees may also purchase additional vacation each year. It is the responsibility of the employee to manage their paid time off allotment responsibly throughout the year. Except in the event of a medical, military or other leave as described in the Leave section of this manual, employees are **not entitled** to unpaid time off. Any exception to this policy due to extenuating circumstances must be approved in advance by Apex Leadership and Human Resources after the employee has exhausted all applicable flex and vacation time off available (inclusive of any pending future time off).

BANKED SICK DAYS

Unused Flex days may not be carried over, but will be banked at the end of the year for use during a future disability (your absence from work of more than 5 days due to your own non-work related illness or injury). Apex will match all banked days, day for day up to a maximum bank of 60 days. Unused Flex days are not paid at retirement or termination of employment.

YEARS OF SERVICE TIME

Benefits eligible employees will earn Years of Service time to be used for their own serious illness or injury (provided that your Banked Sick Days have been exhausted) to provide the employee with pay continuation during medical leave.

Part-time and full-time employees earn Years of Service time at the rate indicated in the following chart. This calculation will be pro-rated for part-time employees.

Years of Service Eligibility	
3 years	2 weeks at 100% pay
4 years	3 weeks at 100% pay
5 years	4 weeks at 100% pay
6 years	5 weeks at 100% pay
7 years	6 weeks at 100% pay
8 years	7 weeks at 100% pay
9 years	8 weeks at 100% pay
10 years	9 weeks at 100% pay
11 years	10 weeks at 100% pay

12 years	11 weeks at 100% pay
13 years	12 weeks at 100% pay
14 years	13 weeks at 100% pay

UNFORESEEN COMPANY CLOSING

If the company is closed due to inclement weather or disaster, employees may be paid for their normally scheduled hours. Apex reserves the right to limit the period that pay will continue, if at all. If an employee had already scheduled the day off as a Vacation or Flex day, it will still be paid out as Vacation or Flex. Employees with the ability to work remotely are encouraged to work from home if their circumstances support doing so.

The chart below depicts how to record time during unforeseen emergency closing situations.

If Your Non-Exempt Team Member :	**Time Recording Procedure**
Worked normal hours and the Company was open	Complete time sheet as normal
Has remote access and worked a full day from home.	Complete time sheet as normal
Is designated as "Essential Personnel", worked normal hours and the Company was closed for full or partial day	Complete time sheet as normal
Did not work normal hours and the Company was open	Submit "Flex Day" Time Off request
Did not work not work at all and the Company was closed for the entire day	Submit "Emergency Closing" Time Off request
Worked a portion of the day and the Company closed early	For hours worked -complete time sheet as normal For hours not worked - submit "Emergency Closing" Time Off request for those hours
Had a scheduled Vacation day	Team Member will be paid Vacation time; no additional entry is needed
Had a scheduled Flex day	Team Member will be paid Flex time; no additional entry is needed
Was not scheduled to work	N/A - no time should be recorded

EMPLOYEE DISCOUNTS AND PREMIUMS ON FIRSTRUST BANKING SERVICES

Eligibility: Full-Time, Part-Time, Peak-Time, Temporary and Retired employees of Firstrust Bank, its subsidiaries and affiliate companies.

Firstrust Bank may add, change or rescind any of the benefits contained herein, and all benefits further are subject to availability.

For a listing of the Deposit and Credit Products, Consumer Loan Products, Mortgage Fee Discounts, Non-Deposit Investments, and other Banking Services benefits, go to the BenePortal at the following link - Firstrust Bank Products & Discounts (firstrusthr.com)

TUITION REIMBURSEMENT

We value and support our employees' professional development and enhancement of skills for continued growth and success. Apex reimburses, at management's discretion, for courses related to your position or a degree program. For information, please see program description here.
Tuition Reimbursement | BenePortal (firstrusthr.com)

MISCELLANEOUS BENEFITS

Employee Referral Bonus

Apex offers an Employee Referral Bonus program to employees who refer top quality talent who subsequently get hired for eligible full-time and/or part-time positions with Apex. Access this link to our current employee referral policy and learn how you can earn a referral bonus.

This program is intended to supplement our recruitment efforts to locate qualified candidates, and will comply with our continuing policy to provide equal employment opportunities for all persons in accordance with the company's Equal Employment Opportunity Policy. Employees are our greatest testimony and referral source – so get the word out that Firstrust is a great place to work!

Employee Referral Program (firstrusthr.com)

Worker's Compensation

Apex carries Worker's Compensation Insurance covering accidental injuries to employees while they are engaged in authorized activities.

Workers' Compensation covers the employee regardless of working location, but does not apply, as example, to injuries to any third parties or members of the employee's family if the employee is working on the employee's premises.

If an employee while performing a duty in connection with employment sustains an injury, they must notify their supervisor as soon as it is practical to do so. It is the responsibility of the supervisor/manager to notify Human Resources immediately and ensure an Incident report is completed in a timely manner.

Pay Continuation During Worker's Compensation

Including the date of injury, there is a waiting period for Worker's Compensation salary continuance. When an employee is absent from work beyond this waiting period, the carrier will retroactively pay your salary back to the first day of absence. If our Worker's Compensation carrier accepts an employee's claim, but the employee returns to work before the waiting period has expired, Apex will pay the employee for the days absent during the waiting period since they will not be eligible to be covered by Worker's Compensation.

CAREER DEVELOPMENT

Apex has a salary administration program and professional development opportunities that supports our Business Plan and a positive work environment.

Positions are described by written job descriptions, which summarize the purpose of the position, essential functions and general responsibilities. Job descriptions are evaluated and grouped together into job grade levels based on a combination of factors including similarities of responsibility, qualifications, and the requirements of the Fair Labor Standards Act (FLSA).

JOB POSTING, PROMOTIONS AND TRANSFERS

Employees who are in good standing may apply for available positions via the Careers link on the Intranet page. Prior to accepting an interview, the employee must advise one's supervisor of such employee's posting for a position. This allows the employee and supervisor to have a discussion regarding career opportunities. Postings will include job title, location, exemption status, and a brief description of duties. The job posting policy requires an employee to stay in a job for at least a period of no less than one year before becoming eligible to post again. An employee may transfer to a different department at the discretion of both managers. In this event, there is no impact to the employee's eligibility to post again.

A promotion occurs when an employee is advanced from a job in a lower grade level to a job in a higher grade corresponding to the increase in responsibilities. Promotional increases may be granted depending upon the position of the employee's base salary in their new salary range as well as the level of skill and experience the employee brings to the new position.

PERFORMANCE REVIEW

Performance reviews are conducted for many reasons, but the most important reason is to achieve business results. Performance reviews formalize the communication and feedback necessary to achieve results. Annual Performance Review forms may be viewed in the Cornerstone system – our on-line performance appraisal system.

Generally, reviews will be conducted with all employees after their first three (3) months of employment, and at least annually thereafter. These reviews provide an opportunity for your supervisor to communicate milestones of achievement, answer questions, define expectations and discuss areas for development.

The Annual Performance Review process begins with the employee completing a self-assessment of their performance results against the objectives and competencies for their role as defined at the beginning of the performance period. After the close of the performance year, managers complete their assessments then meet with the employee(s) to review achievements against goals and competencies exhibited by employees , as well as discuss areas for development and future career goals.

SALARY REVIEW

Salaries (and hourly rates for part-time and peak-time employees) are typically reviewed annually. This review occurs at the end of the annual performance review process, with salary increases, if any are granted, typically effective in April. An employee must be achieving or exceeding performance expectations in order to be awarded a salary increase.

PROFESSIONAL DEVELOPMENT

Apex encourages all employees to participate in educational programs or degree programs that will provide a better understanding of their present job and help prepare them for advancement. We offer opportunities to enroll in: (1) qualified Professional Development courses, fully paid by Apex; (2) job related college level

courses and degree programs paid by Apex on a tuition payment plan; and (3) online or classroom internal programs provided by Apex at the recommendation from supervisors/managers.

Apex is committed to the educational development of its employees, and the Tuition Reimbursement Program, along with Apex's internal training programs provide an excellent opportunity for personal development. See the Tuition Reimbursement | BenePortal for more information on eligibility for the Tuition Reimbursement Program.

INCENTIVE AND RECOGNITION PROGRAMS RECOGNITION PROGRAMS

Service Recognition Awards

Apex's Service Recognition Award program is designed to show appreciation for and give special recognition to employees for their continuous loyalty, dependability, interest and pride in the Company. Eligibility is based on length of service; that is, the total time an employee is credited as a regular full-time or part-time employee of the Company. Service recognition awards are presented to employees commencing on the 3rd anniversary of employment and continuing on the 5th anniversary, and every 5th anniversary thereafter.

BONUS, INCENTIVE AND COMMISSION PLANS

Incentive and Commission Plans

Incentive or commission plans are available for select positions across the Company. These plans are designed to drive specific performance results and renew annually. Updated annual plans are communicated, as appropriate, to eligible participants at the beginning of the performance year and all bonus payments are subject to the Incentive Program Adjustment and Recoupment policy.

Annual Bonus

Based on the overall performance of the company, employees who do not participate in a commission or incentive plan may be eligible for an annual discretionary bonus based on their individual performance and their overall contribution and impact to the achievement of Apex's business plan. To be eligible for an annual bonus, employees must have a hire date on or before September 30, be in good standing (not on written or final warning), be rated "Achieves" or "Exceeds" for the performance year and be actively employed at time of payment. No eligible participant shall have any vested right to receive any payment until actual payment is made and all bonus payments are subject to the Incentive Program Adjustment and Recoupment policy.

SuperBonus

Firstrust Bank's unique longer-term cash incentive program is called the SuperBonus. Eligibility is based on employment dates and it is further defined by the document issued at the beginning of each SuperBonus period. Firstrust Bank may include certain of its subsidiaries, including Apex, in the SuperBonus. The SuperBonus is discretionary and as set forth below is subject to several factors. Additionally, the SuperBonus is reviewed at least annually by the Chief Executive Officer and the President of Firstrust and is subject to approval by the Firstrust Board of Directors. SuperBonus embodies the part of our mission that speaks to cultivating prosperity for employees and it motivates each employee to focus on achieving our goals!

Incentive Programs Adjustment and Recoupment Policy

Employee incentive programs, including the Annual Bonus Plan and SuperBonus (collectively the "Incentive Programs") are discretionary. Eligibility and payment are subject to several factors including individual performance, enterprise performance, and applicable law, rules, regulations, and regulatory guidance. Determination of eligibility and payment is reviewed at least annually by the Chief Executive Officer and the President and is subject to approval by the Board of Directors. In the event either Firstrust or Apex is required, whether by law, rule, regulation, or due to changes in internal policies and procedures, to revise a previously issued business plan earnings report on which any part of the recipient's Incentive Program compensation was based, in order to correct a material error (including but not limited to adjustment for or based on actual losses, incorrect data, misconduct, or compliance risks), Apex may make adjustments to, or recoup the portion of, the pre-tax amount employees received as a result of the material error. The recipient will be solely

responsible for any changes in tax liability resulting from or arising out of such adjustment or recoupment without any recourse to Firstrust or Apex, or any of their respective officers, directors, agents, or employees.

PERFORMANCE MANAGEMENT

CORRECTIVE ACTION

How we get along together is important in making Apex a good place to work. When people work together, certain standards of conduct must be stated in order that we all know what is expected. Apex and its managers shall attempt to state clearly all formal expectations of employees and to provide a reasonable means to review, revise and/or grieve policies when necessary (see Dispute Resolution Program). However, unproductive, disruptive and other conduct that is, in the opinion of the Company, unacceptable, will be treated with such corrective actions as may be deemed appropriate in the eyes of the Company.

Apex's progressive Corrective Action procedures are designed to provide a fair and structured corrective action process to ensure clear communication between Apex and the employee in order to remediate a recurrence of undesirable behavior, policy violations and/or performance issues. The steps described below are only a guideline and the level of actual corrective action may vary on a case-by-case basis and at the discretion of Apex. Apex reserves the right to combine or skip steps, up to and including termination of employment, without notice depending on the facts of each situation and the nature of the behavior or performance issue. Factors that may influence the appropriate level of corrective action include, but are not limited to, prior coaching, counseling or training; the employee's work record; and the impact the conduct and performance issues have on the organization.

Nothing in this policy provides any contractual rights regarding employee corrective action or counseling, nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between Apex and its employees.

Corrective Action Procedure: In a clear and concise manner, the supervisor will prepare on the appropriate form the initial documentation, which must include the facts around the occurrence, related policies and future expectations and submit to the HR Business Partner for review and approval. At any time during this process the HR Business Partner is available if needed for counsel and guidance on the appropriate detail required. The nature of the incident, policy violation, or performance issue may require additional management review. A witness (typically the HR Business Partner but may also be a more senior manager) must be present for Written and Final Warnings. The employee and supervisor signatures are required for documented Verbal, Written or Final Warnings.

Counseling - An employee may receive counseling when behavior, policy violation, or procedural violation occurs requiring a discussion with the employee to reinforce acceptable standards, expectations, procedures or policies. A Performance Improvement Plan (PIP) defining performance standards and expectations, along with training or other remediation actions, may be warranted to provide tools for the employee to be successful.

Verbal Warning - An employee may receive a Verbal Warning if performance issues or behaviors continue after normal and customary coaching, training and counseling. In this discussion, the employee is formally warned about the consequences of behavior or performance gaps that do not improve. A Verbal Warning is not intended for serious policy violations or behavior that cause risk or potential risk to our customers, vendors, other employees or Apex, which require an escalated level of corrective action. In this step, the employee discussion is documented on the Employee Warning Form and placed in the employee's file.

Written Warning - An employee may receive a Written Warning when unacceptable behavior or performance requires immediate correction or when the employee's behavior and/or performance gaps are serious, recurring, or cause a serious risk or potentially serious risk to our customers, vendors, other employees or Apex. The objective is to ensure the employee understands the standard, to explain why the specific incident is unacceptable and to set future expectations. A Written Warning is conducted privately with the employee, the supervisor and Human Resources and the document is placed in the employee's file.

Final Written Warning - An employee may receive a Final Written Warning when unacceptable behavior or performance presents a serious risk with significant impact to our customers, vendors, other employees or

Apex, or when the employee's behavior and/or performance gaps are reoccurring. The objective is to ensure the employee understands a future infraction will put one's employment in jeopardy and that immediate and sustained improvement is required. A Final Written Warning is conducted privately with the employee, the supervisor and Human Resources and is placed in the employee's file.

Suspension – An employee may be suspended with or without pay as a temporary measure to remove the employee from the work setting pending further investigation or decision. During such time, the employee is not permitted access to Apex's systems or to Apex property except to conduct legitimate personal business (e.g. as a customer in a branch) or as necessary to assist with the pending investigation. Apex may revoke the employee's credentials and require the employee to turn over any keys, fobs, identity badges or cards, and any other item that grants the employee access to locked or restricted areas or systems.

Termination - Corrective action up to and including termination will result from the violation of company rules. The following partial list is a general guide of situations that may warrant discharge and is not meant to be all-inclusive

- theft, dishonesty or participation in any criminal activity;
- use of alcoholic beverages or non-prescription drugs or functioning under the influence of either on Workplace premises during working hours, or while on Company business;
- insubordination or willful refusal to perform assigned duties of the position;
- falsifying Company records including falsifying an application for employment;
- intimidating other Company employees;
- the misuse of Company property;
- chronic absenteeism or lateness;

I. disclosing confidential information about the Company and its affiliates, its customers, vendors or employees;

- fighting, violence, or use of profane language;
- entering Company property without authorization;
- unsafe or immoral conduct;
- unauthorized possession of a lethal weapon while on Workplace premises or Company business;
- violation of the Internet Access and Use Policy;
- violation of the Code of Ethics; and
- failure to perform job duties as required.

Nothing in this policy or manual changes an employee's status as an employee-at-will. Accordingly, an employee may be terminated at any time, for any reason or no reason, with or without notice. All termination decisions are reviewed by Human Resources and the appropriate member of Senior Management before being implemented.

LEAVES OF ABSENCE

FAMILY AND MEDICAL LEAVE

Employee Rights and Responsibilities Under the Family and Medical Leave Act
Apex complies with the requirements of the Family and Medical Leave Act (FMLA) by following these guidelines. Leave taken under FMLA runs concurrently with leave taken under any state or local law, if the leave also qualifies under the state or local law. If a leave is covered under a State Law, such as the New Jersey Family Medical Leave Act, with no corresponding provision under the Federal FMLA, State Law shall govern.

Basic Leave Entitlement
FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- **For incapacity due to pregnancy, prenatal medical care or child birth;**
- **To care for the employee's child after birth, or placement for adoption or foster care;**
- **To care for the employee's spouse, child, or parent, who has a serious health condition; or**
- **For a serious health condition that makes the employee unable to perform the employee's job.**

Military Family Leave Entitlements
Eligible employees whose spouse, child, or parent is on covered active duty or call to covered active-duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current service members and veterans are distinct from the FMLA definition of "serious health condition".

Benefits and Protections
During the FMLA leave, Apex must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. If the employee does not pay the premium within 30 days of the due date their coverage will cease. Upon return from FMLA leave, most employees must be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements
Employees are eligible if they have worked for Apex for at least 12 months and have at least 1,250 hours of service over the previous 12 months. Eligible employees will be provided FMLA leave during a 12 month period measured forward from the first date a leave is used.

Definition of Serious Health Condition

Definitions of a Serious Health Condition (See 29 C.F.R. §§ 825.113-.115)
Inpatient Care
• An overnight stay in a hospital, hospice, or residential medical care facility. • Inpatient care includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
Continuing Treatment by a Health Care Provider (any one or more of the following)
Incapacity Plus Treatment: A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves either: o Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, o At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
Pregnancy: Any period of incapacity due to pregnancy or for prenatal care.
Chronic Conditions: Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.
Permanent or Long-term Conditions: A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.
Conditions Requiring Multiple Treatments: Restorative surgery after an accident or other injury; or, a condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the patient did not receive the treatment.

Use of Leave
An employee does not need to use the FMLA leave entitlement in one block. FMLA can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Similarly, leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave
Apex requires use of paid time off while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with Apex's normal paid leave policies. Paid leave must be taken in the following order:

- **Banked Sick days***
- **Years of Service time***
- **Flex days**
- **Accrued but unused Vacation**

*Banked Sick days and Years of Service time may only be used for an employee's own illness.

Employee Responsibilities
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with Apex's normal call-in procedures.

Employees must provide sufficient information for Apex to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform Apex if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees are required to provide a certification and periodic recertification supporting the need for leave.

Apex Responsibilities

Apex will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, Apex will provide a reason for the ineligibility.

Apex must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If Apex determines that the leave is not FMLA-protected, Human Resources will notify the employee as required.

Certification

Apex may require that an employee's request for leave due to a serious health condition affecting the employee or a covered family member be supported by a certification from a health care provider. Apex may require second or third medical opinions (at the employer's expense) and periodic recertification of a serious health condition. Apex may use a health care provider, a human resource professional, a leave administrator, or a management official – but not the employee's direct supervisor – to authenticate or clarify a medical certification of a serious health condition. Apex has a uniformly-applied policy requiring employees returning from leave for their own serious health condition to submit a certification that they are able to resume work. Apex may require such a certification for employees returning from intermittent FMLA leave.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- **Interfere with, restrain, or deny the exercise of any right provided under FMLA**
- **Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA**

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Pay Continuation During Leaves

Banked Sick time, Years of Service time, unused Flex time and accrued but unused Vacation time must be used for all Personal and/or FMLA leaves of absence. Please note that Banked Sick time and Years of Service time may only be used in the case of a leave for your (the employee's) own illness. These payments will start to be applied on the first day of the leave period to provide the employee with pay continuation.

In the case of a prolonged employee illness, employer paid long-term disability insurance benefits may become effective depending on the length of the leave.

Company holidays will not be recognized as paid days during a leave of absence and may not be credited or accrued for later use.

We ask that employees contact the Human Resources Leave Administrator, Christine Cost ccost@firstrust.com (or the Human Resources Leave Administrator's designee) at least 2 weeks prior to the expiration of their leave to state whether or not they intend to return to work. A medical certification attesting to the employee's fitness to return to work will be required upon the return.

Past 12 weeks of leave

Long-Term Disability will apply at the exclusion of any other form of pay continuation.

All full-time employees participate in employer-paid group Long-Term Disability Plan. Please note that for all

new hires, the 12 week elimination period begins on the 91st day of employment when they become benefits eligible. The determination of Long-Term Disability coverage will be in accordance with the plan policy, as well as any eligibility requirements the carrier requires.

Multiple Sick Leaves
In the event that an employee needs to go on multiple sick leaves within their term of employment, years of service time and banked sick time that have already been used will be deducted from the available balances.

Additional Voluntary Benefits
Apex offers full-time employees the option to participate in a group Short-Term Disability plan. Employees who have voluntary Short-Term Disability may submit a claim for coverage at the start of their leave. Short-Term Disability may be taken simultaneously with the above Apex Sick Leave policy.

The Apex Group Voluntary Short-Term Disability has an eight-day elimination period before coverage begins. It provides up to 12 weeks of paid leave at a rate of 60% of normal pay, less any Apex paid leave. The determination of Short-Term Disability coverage will be in accordance with the plan policy, as well as any eligibility requirements the carrier requires.

OTHER LEAVES

Military Leave
Military leave will be granted in accordance with all provisions of applicable law.

Active Duty
In the event an employee enters the military service of the U.S. and declares one's written intention to return to Apex upon the completion of the tour of duty, reinstatement into the employee's former position or whatever available position most closely matching the employee's skills and experience will be made available, business conditions permitting. Apex requires that the employee contact the Human Resources Department upon their discharge from active duty and present a certificate showing satisfactory completion of their military service.

When departing for military service, an employee will be paid for any accrued, unused vacation time to which the employee may be entitled under the vacation policy. The employee must notify Human Resources, which will then arrange a conference with the employee prior to such employee's departure to explain any continuing benefits.

Reserve Duty
Leave of absence will be granted up to ten days each year for an employee's required annual training. During this period of absence, the employee will receive from Apex the difference between any military pay (if less than Apex pay) and the employee's regular salary for an equivalent period.

The regular vacation to which an employee is entitled will be scheduled at the convenience of the employee's department, separate and apart from the period of the military leave of absence.

Jury Duty
It is necessary for all employees to advise their supervisor and the Human Resources Department immediately upon receipt of notification to serve on jury duty. Ordinarily, Apex will continue the employee's pay for the length of time the employee is retained on jury duty however, Apex reserves the right to limit the period pay will continue. Apex reserves the right to request postponement on the person's behalf due to business reasons and to receive documentation of the employee's service.

Bereavement Leave
Bereavement leave of up to five (5) days may be granted in the event of the death of a member of an employee's immediate family, which includes their parent, spouse, child, sibling and grandparents as well as

domestic partners, members of the household, and these same relationships created by marriage. It is not the intention of Firstrust that every situation warrants five (5) days of leave and the length of leave permitted will be contingent upon circumstances, such as relationship to the employee, the need to travel, and cultural and religious practices. Bereavement leave of one (1) day may be granted in the event of the death of an employee's aunt, uncle, cousin, niece and nephew, and those same relationships created by marriage. Managers can consult with their Human Resources Business Partner on the appropriate number of days for the circumstances. Absences for bereavement will not affect the employee's attendance record for the year.

Personal Leave
Employees may request personal leaves of absence in the event of extraordinary circumstances that are not defined by other leave or benefit policies. Requests should be in writing to the individual's manager with a copy to the HR Business Partner. Flex and vacation days must be used before personal leave time begins. Personal leaves of absence are without pay and may be without benefits or job protection.

WHEN YOU LEAVE APEX

Notice Requirement
Employees who voluntarily resign from Apex shall give a written letter of resignation to their immediate supervisor , with a copy to the HR Business Partner, that states the reason for their decision to leave and their final day of employment. Employees who provide at least two weeks' notice shall receive pay for unused vacation days accrued during the calendar year of resignation.

The employee shall return all Apex property, including, but not limited to, all files, all communications equipment, keys, fobs and other access devices.

Pay Upon Termination Regular Pay
Exiting employees will be paid for all hours worked upon the next regularly scheduled payroll date. Pay statements will be available electronically for print/download in Dayforce.

Vacation & Flex Time Pay
Employees who provide Apex with at least 2 weeks' notice of resignation will be paid for all accrued, unused vacation days based on the individual's vacation eligibility and the monthly accrual method as described in the Vacation policy. Employees who have used more vacation than they have accrued will be required to pay the un-accrued balance back to Apex upon termination. Unused Flex time, unused carryover vacation, years of service time and sick bank are not paid at termination of employment.

Employees who had elected to either buy or sell a vacation week in the year they terminate will receive an accounting of amounts owed or due.

Insurance and COBRA
If you have participated in a group insurance program, you will receive detailed information by letter regarding how to convert your insurance to an individual program. Medical and dental plan participants will also be notified of their rights under COBRA to continue their participation in the group plan by paying the full premium each month. The employee is solely responsibility for electing continued coverage.

401(k) and Profit Sharing Distributions
If you have been a participant in the Apex 401(k) Plan and are terminating your employment, you will cease to be eligible to make contributions to your 401(k) account, and you will become eligible to receive all vested portions of your account. You are not required to take any action, but you may choose to take a distribution of your account or to transfer ("rollover") your balance to another qualified plan. You must contact John Hancock directly to request distribution forms.

If you elect a distribution and have an outstanding loan balance, you are required to make repayment arrangements with John Hancock. This will generate a tax Form 1099 at the end of the year and liability for

paying taxes and tax penalty for early withdrawal of the loan balance. If you do not take a distribution, you will continue to have access to your online account.

Employee Checking Account
You will experience no interruption in your banking services when you leave us. Your accounts will be re-coded to reflect your current customer (non-employee) status and normal fees and limitations will apply.

Exit Survey and Termination Acknowledgement Letter
Generally, an exit survey will be given to employees who voluntarily terminate employment with Apex.

The purpose of the Termination Acknowledgement Letter is to provide the employee with a information about benefits available at termination, salary due, or vacation pay allowance

MISCELLANEOUS

DRAWINGS AND CONTESTS
Employees and members of their families are not eligible to participate in any of the drawings, contests, etc. that are sponsored by Firstrust or Apex during any promotion other than those specifically designed for employee participation.

REFERENCES AND VERIFICATION OF EMPLOYMENT
All requests for references and verification of employment should be referred to Human Resources for handling. No action will be taken by Human Resources without a written authorization from the employee/former employee.

SOLICITATIONS
Except for solicitations specifically authorized by Apex Leadership, the following policies regarding employee solicitation and/or distribution activity will apply:

- **Oral solicitation is prohibited during working time and is permitted only during non- working time such as lunch and breaks provided that the schedules and work of other employees who are working is not disrupted;**
- **Distribution of written material is prohibited at all times in work areas but is permitted in non-work areas during non-working time;**
- **Postings on company bulletin boards shall be restricted to company information unless specifically authorized by a member of the Executive Committee;**
- **Solicitation and/or distribution on Apex property by non-employees shall not be permitted at any time unless specifically authorized by a member of the Executive Committee.**

Solicitation and/or distribution of written materials and/or postings that involve electronic communications are specifically addressed by the Internet Usage Policy.

PAY TRANSPARENCY
Apex will not discharge or in any other manner discriminate against employees or applicants because they inquired about, discussed, or disclosed their own pay or the pay of another employee or candidates. However, employees who have access to the compensation information of other employees or candidates as a part of their essential job functions cannot disclose the pay of employees or other candidates to individuals who do not otherwise have access to compensation information, unless the disclosure is (a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing or action, including an investigation conducted by the employer, or (c) consistent with the company's legal duty to furnish information.

SPEAKING, WRITING, AND PUBLIC ANNOUNCEMENTS

Employees are encouraged to speak at industry meetings and conventions, publish articles on topics of interest, and appear on local media as requested or approved by a member of executive management. The Company maintains the right to review all such material before it is published or presented.

Apex will release information on internal matters to the media only through the Executive Committee. No other employee is authorized to represent the Company without permission.

MEMBERSHIP IN BUSINESS AND CIVIC ORGANIZATIONS

Management of the Company encourages membership in business and civic organizations and will pay the costs of membership if the Division EVP has granted approval. Approval is contingent on the nature and purpose of the organization, the benefit to be derived for the Company, the current number of memberships already paid by the Company, and the employee's job level and length of service.

Once membership is approved, the employee is expected to participate actively in the organization.

AUTO ALLOWANCE

Employees shall be reimbursed for mileage and expenses they incur as a result of authorized business travel. For the purpose of this policy, business travel is defined as travel between Apex offices, or between a Apex office and a customer or other assigned location. Typically, this travel occurs after an employee has reported to work at a Apex facility.

Regular home to work commutes are not eligible for reimbursement. Additionally, business travel from home to a different work location is not eligible for reimbursement unless the commute to the different location exceeds the regular work commute. Regular home to work commute miles should be deducted from any miles eligible for reimbursement including attending training programs or reporting to other work locations. Employees whose commute to the training program exceeds 60 miles per day, net the miles of their regular work commute, shall be eligible to receive reimbursement at the policy rate.

APEX COMMERCIAL CAPITAL

a FIRSTRUST BANK Subsidiary

CODE OF ETHICS

I. Confidential Information

All records and files of Apex and its affiliates ("Apex" or "company") whether paper, in electronic media or any other format, are confidential and the exclusive property of Apex or the applicable affiliates and may not be copied or disclosed without authorization from a member of the Executive Committee. Never discuss customer affairs, accounts, files or printed material with other employees, except on a need-to-know basis. Such records and information should also be protected from access by unauthorized persons. Confidential information ("Confidential Information") includes all employee and payroll records, information about our customers, customer lists, business affairs, plans and operations, technology, procedures, proposed or executed correspondence, agreements and anything else about our business and/or all records and files regarding the conduct of same.

On a periodic basis, the company is examined. The reports that examiners furnish are the exclusive property of the regulatory agency and are strictly confidential. Information contained in the reports is privileged information and should not be communicated to anyone not officially connected with the company.

The company respects the right of employees to privacy in matters that have no relation to their employment. However, the company may, without prior notice, review employees' current and prior use of the internet, telephone, other communications devices and any files in whatever form for business purposes and the general protection of the company. The company also has the right of access to all offices and facilities even if employees are provided with keys. No personal information observed or collected by the company during any review will be disclosed unless it is determined to be improper, a violation of company policy, otherwise detrimental to the company or other employees, or is such information that must be disclosed to meet legal requirements.

Matters of a personal nature concerning fellow employees should be treated with the utmost confidentiality.

Financial information regarding the company is not to be released to any person unless it has been published in reports to the public. Any questions regarding disclosures of confidential financial information must be reviewed with the President, Chief Operating Officer and legal counsel prior to disclosure.

Any Confidential Information obtained by an employee must not be used for private interests or personal gain. No discussions or use of any information regarding the Company's strategic business plans, operations, customer and/or prospect lists should take place outside of Apex.

The improper disclosure in any manner of any information described above or making a statement that reflects negatively on the Company, its customers or employees, or that otherwise violates the Acceptable Use section of the Company's Information Technology Policy Manual is prohibited. This includes, but is not limited to, any improper disclosure made on a blog, social networking website, discussion forum, newsgroup, e-mail distribution list, or similar media, whether done using a Company or non-Company computer.

Abuse or misuse of Confidential Information will result in severe discipline, and possibly termination.

II. Bank Bribery Act - Gifts and Bequests

What You Can't Do. Under the Bank Bribery Amendments Act, (the "Act," codified at 18 U.S.C. § 215):

It is a federal crime for any employee of a financial institution to corruptly solicit or demand for the benefit of

any person, or to corruptly accept or agree to accept, anything of value from any person, intending to be influenced or rewarded in connection with any business or transactions. While Apex employees are not employees of a financial institution, Apex (a subsidiary of a financial institution, Firstrust) requires that each of its employees complies with its policy against bribery. Apex prohibits the same activities that are prohibited under the Act, as set forth below.

The Act extends to any person who corruptly gives, offers, or promises anything of value to any person, with the intent to influence or reward an employee, officer, director, agent, or attorney of any financial institution in connection with any business or transaction of a financial institution. In other words, the Act applies not only to the person receiving or asking for a bribe, but also to any person who gives, offers, or promises a bribe. The penalty for a violation includes fines up to the greater of $1,000,000 or three times the value of the thing given, offered, promised, accepted, or agreed to be accepted, and/or imprisonment of up to thirty years.

Employees may not, in connection with Apex's business, give, offer, promise or receive any gift, bribe, kickback, favor, discount, price concession, loan (including a loan with more favorable terms than generally available to the public), service or anything else of value to any individual, business entity, organization, governmental unit, public official, political party or candidate (except as permitted by law) or other person for the purpose of influencing the action of the recipient. This standard of conduct does not prohibit normal business practices such as providing meals, entertainment, tickets to cultural and sporting events, promotional gifts, favors, discounts and price concessions within reasonable limits.

Employees are prohibited from 1) soliciting for themselves or a third party anything of value from any customer, prospective customer, competitor, supplier or any other person in return for any business, service, or Confidential Information of Apex, and 2) accepting anything of value from any customer, prospective customer, competitor, supplier or any other party in connection with the business of Apex, either before or after a transaction is discussed or consummated.

What You Can Do. Acceptance of the following is permissible under the Act:

Gifts, gratuities, amenities or favors based on obvious family or personal relationships where the circumstances make it clear that it is those relationships, rather than the business of Apex, which are the motivating factors for such gifts, gratuities, amenities or favors.

Acceptance of meals, refreshments, entertainment, accommodations or travel arrangements, all of reasonable value, in the course of a meeting or other occasion, the purpose of which is to hold bona fide business discussions or to foster better business relations, provided that the expense would be paid for by Apex as a reasonable business expense if not paid for by another party.

Acceptance of advertising or promotional material of reasonable value, such as pens, pencils, note pads, key chains, calendars and similar items, and of discounts or rebates on merchandise or services that do not exceed those available to other customers.

Acceptance of gifts of reasonable value that are related to commonly recognized events or occasions, such as a promotion, new job, wedding, retirement, holiday or birthday or acceptance of civic, charitable, educational or religious organization awards for recognition of service or other accomplishment.

On a case-by-case basis, executive management may approve other circumstances, not described above, in which a Apex employee may accept something of value in connection with Apex's business.

III. Political Activities and Contributions

Apex encourages its directors, officers and employees to be informed about and participate in the political process and political activities, provided such participation does not unduly interfere with work duties or embarrass or discredit Apex. Apex further encourages all directors, officers and employees to vote in elections and, if directors, officers and employees so choose, to make voluntary contributions of time and/or money to

political and governmental activities. Directors, officers and employees must, however, engage in such activities as individuals rather than as representatives of Apex. Directors, officers and employees must further avoid any appearance of corporate sponsorship endorsement in connection with any election. Directors, officers and employees must not use the Apex name in any connection with any political fund- raising activity. Directors, officers and employees must obtain approval from executive management before becoming a candidate for public office, accepting any nomination or appointment to a public office or agreeing to serve as an officer (such as a campaign manager, chair, or treasurer) in a political campaign.

IV. Conflict of Interest

It is the policy of the company that all staff members conduct their business affairs in such a manner and with such ethics and integrity that no conflict of interest, real or implied, could exist. This includes being free of outside influences that could result in loss of objectivity regarding the conduct of the company's business. Staff members should avoid developing a personal relationship with another staff member that will interfere with the employee's impartial judgment in company matters. Keep in mind, in accordance with the Company Sexual Harassment Policy, a supervisor may not date or attempt to date anyone who is a subordinate (direct or indirect).

This Code of Ethics does not attempt to identify all possible conflicts of interest and literal compliance with each of its provisions may be insufficient to demonstrate observance of the high standard of conduct expected of all officers and employees.

Employees are not permitted to be appointed beneficiary on any customer account, will or trust instrument that is not for a family member, without prior written authorization from a Apex executive officer. For purposes of this Code of Ethics, "family members" include spouse, parent, grandparent, sibling, child or legal dependent as well as domestic partners, members of the same household, and these same relationships created by marriage.

Unless authorized by the President, Apex employees may not complete or approve transactions on their own or a family member's account. In addition, all transactions for other Apex employees shall be handled in the same manner, and with the same application of policies and procedures, as our external relationships.

V. Extension of Credit to Relatives and Business Associates

No employee shall make or approve loans to any bank, partnership, estate, trust, association, or other entity or person in which such employee has an interest directly or indirectly (whether as a director, officer, shareholder, manager, lender, joint venture, beneficiary, controlling investor, or otherwise), or in which a member of the immediate family of the employee has such an interest or business association. Any such request for credit extension is to be referred to another company officer with no connection to or affiliation with the potential borrower. The terms of any such loan are to be no more favorable than for other similarly situated loan customers and all such transactions are to be arm's-length transactions.

Furthermore, no employee may offer any customer, vendor or other party a guarantee in any form relating to the operation of a loan, deposit, or other bank account.

VI. Employee Indebtedness

Borrowing by an employee from an individual or business customer of the company should always be avoided (unless the customer is a recognized lending institution and terms of such loan are not more favorable than for other similarly situated customers of such lender). The approval or denial of such a request imposes a wrongful burden on the customer and can impair the judgment of the employee when making business decisions involving the customer.

VII. Personal Finances

Because of Apex's position of trust in the community, personal finances should be managed with prudence. Personal financial affairs should be conducted in such a manner as to be above regulatory or auditing criticisms or concerns. Officers should discuss any financial emergency with the President. Employees may discuss any financial emergency with the Human Resources Department.

Under applicable securities laws, employees are not permitted to trade (for themselves, family members or others) in securities of companies with which Apex transacts business (including customers, vendors, or other third parties), if the employee has knowledge of material information with respect to that business that has not been generally disclosed to the public.

Material information would include any information relating to the company or its business affairs that would have a significant effect on the market price of the company's securities. This includes information such as significant changes in senior management, financial results, decisions concerning dividends, major acquisitions, sales or restructurings, and the acquisition or loss of important contracts.

VIII. Customer Referral

Apex employees may be requested by Apex customers and the general public to provide a referral to professional services, such as attorneys, securities brokers, certified public accountants, insurance agents, and real estate agents. Employees shall, only when approved by executive management, recommend several qualified sources from which the customer can select. Apex employees should not make any adverse or negative comments regarding any outside professional. If an employee cannot give a positive recommendation regarding the outside professional, the employee should indicate to the customer that the employee has no recommendation to give regarding the particular professional. If you do make a positive referral, it should be limited to a statement that you have heard good comments regarding the professional, but you or Apex cannot make any specific referrals or endorsements. The employee should exercise extreme care not to make any statement that could subject either the employee or the company, or both, to an action for libel or slander.

From time to time, discussions with customers may lead to a request that the employee give an opinion or statement about the legality of a particular transaction. Employees are not permitted to give legal advice. Apex also does not engage in the business of giving investment or tax advice. These are areas that are best left to the professional in that particular field. Extreme care must be exercised in discussions with customers, and nothing should be said that could be construed as the giving of legal advice, tax advice, or investment advice. If a customer asks for any legal, business, financial, or tax advice, the employee should refer the customer to the customer’s own legal, financial, accounting, or tax professional.

IX. Fiduciary Appointment

Without specific approval from executive management, employees are not to act as agent or deputy in any signing capacity on any account including safe deposit boxes (except for family members) held in the company. Further, employees may not act as executor, administrator, trustee, guardian, custodian, or in any fiduciary capacity without authority granted by Apex. This authority would normally be granted only to act for the employee’s spouse, parent, sibling, child, or legal dependent, as well as domestic partners, members of the same household, and these same relationships created by marriage.

There may be instances whereby a Apex employee is requested to accept an appointment as a fiduciary or co-fiduciary (personal representative, trustee, administrator, guardian, executor, or custodian) with the company, another person, or a firm or corporation. Except where the request is for family member, all employees must obtain prior approval of the company's board of directors before acceptance of the positions. Employees are reminded to consult senior management because federal or state regulations govern the acceptance of fees as a fiduciary.

X. Company Property

Equipment, to include PCs, PDAs, laptops or audio visual products, supplies and other assets of the company are to be used solely by you and for Apex business purposes only. Your access and connection to Apex's network(s) may be monitored. You must comply with the Apex Information Technology Policy Manual as it may be amended from time to time. You must return all Apex equipment upon Apex's request. You are responsible for securing any Apex property from theft and misuse. You agree to maintain confidentiality and security of all Apex property and if any theft, unauthorized access, or disclosure in breach of your obligation of confidentiality occurs, you must inform Apex immediately.

XI. Use of Letterhead/Official Stationery

It is inappropriate for an employee to use official stationery or business cards for personal or non- job related purposes.

XII. Outside Employment

All Apex employees are expected to devote their primary work efforts to tasks assigned as part of their daily job with the company. Supplemental employment can sometimes create conflicts of interest with the Company. Conflicts of interest can take the form of mental and physical fatigue, abuse of time off policies, unavailability for overtime when it is necessary, intentional or unintentional confidentiality or trade secret leaks, direct or indirect competition and injury to Apex's public image. Any outside employment shall not include the use of the company's equipment, supplies or facilities or imply company sponsorship or endorsement.

Officers and employees are not permitted to engage in any business activity or employment that interferes with their duties to Apex's customers, divides their loyalty, creates an actual or apparent conflict of interest, or exposes the officer or employee of Apex to possible criticism or adverse publicity. Officers and employees must disclose all outside employment to a member of the Human Resources Department who will seek prior approval from executive management for all outside employment, business activities, directorships, or fiduciary appointments. There is a limited exception to this rule for activities with not-for-profit organizations. Unless indemnification is requested in connection with such service, approval is not required to serve as an officer, director or trustee of a not-for-profit entity or a community organization. Disclosure of participation in community activities is not required unless a banking or business relationship exists or comes into existence between the organization and Apex.

XIII. Indemnification

Except as otherwise expressly provided herein and in the Bylaws of Apex, in no event will indemnification by Apex be available in connection with the services of an employee or officer of Apex as an officer, director, employee, agent, fiduciary, or other representative of another organization unless such service as a director or officer of the other organization is at the request of Apex. No one will be deemed to be serving at the request of Apex unless all of the following conditions are satisfied:

XIV. The President of Apex specifically, and in writing, requests the individual to serve as a director, officer, employee, agent, fiduciary, or other representative of the other organization; and

1) The Board of Directors of Apex has approved such request. Each request will be presented to the Board for its approval and a report of the action taken recorded in the minutes of the meetings of the Board. In this connection, a list of persons serving at Apex's request shall be reviewed by and submitted to the Board of Directors of Apex at least once each calendar year. All such action is subject to revocation by the Board at its discretion at any time; and

2) Arrangements for prompt transfer to Apex of all fees and other remuneration for such service shall have been made.

XV. Proper, Accurate Books, Records and Compliance

It is corporate policy that all books and records of Apex be kept so that they fully and fairly reflect all of Apex's receipts, expenditures, assets and liabilities. Federal law also requires accurate recordkeeping and accounting, and imposes civil and criminal penalties on any individuals and companies who violate these requirements. Any attempts to create false or misleading records are forbidden. Both Federal law and corporate policy require that no "off book" or undisclosed funds or accounts shall be established for any purpose. It is corporate policy to comply fully with the recordkeeping and accounting control requirements of the Foreign Corrupt Practices Act.

It is also corporate policy that laws and regulations applicable to the company are to be observed. All employees are expected to respond honestly and candidly when dealing with company's independent and internal auditors, regulators and attorneys.

XVI. Approval Procedures, Violations and Implementation of Code

When approval of any matter is required by the Code, requests should be submitted in writing to the senior officer of Apex having administrative responsibility for the employee involved. If such senior officer recommends approval, the request will be forwarded to the Chief Operating Officer of Apex who will seek the appropriate written approval required by the Code. All requests shall contain all information required by the Chief Operating Officer for an informed decision. All approvals must be documented in writing.

The Human Resource Department is responsible for administering the Code. Copies of all documents concerning any matter subject to the Code and all related documents should be sent to the Human Resources Department, which will retain these documents.

All Apex employees are expected to report promptly the existence of any relationship or activity that might violate or appear to violate the Code to the Human Resources Department. Employees who make a good faith report of a suspected violation of this policy are guaranteed protection from retaliation or any other adverse employment action. Whenever there is any doubt as to the propriety of a particular action, Apex's employees should disclose the action to the Human Resources Department and seek written approval of the action.

Any violations of the Code must be referred to the President of Apex and the Board of Directors and may be grounds for corrective action, up to and including immediate termination of employment, and civil or criminal liability may be imposed by courts in appropriate cases.

Each employee of Apex must read the Code and sign a statement given upon hire acknowledging that such employee has received, read and is in compliance with the Code.