

# **EMPLOYEE** **HANDBOOK**

**THE ALMAR SMITH CORPORATION**  
**&**  
**MORGALLEN LLC**



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*'Intentionally Left Blank'*

## **WELCOME**

*Welcome,*

*People who work for The AlMar Smith Corporation or Morgallen LLC, have demonstrated a sense of responsibility and ambition that is very gratifying. Because of the opportunities you are presented with and the commitment that you demonstrate, I offer these words of encouragement.*

*Working at McDonald's can be either a rewarding career or the stepping stone to a successful future. We are a successful organization operating under a brand that is a \$30 billion corporation that employs more than 4 million people.*

*Like any career, there is an entry-level position, which for us is as a crew person. As in any other profession, advancement is relative to the desire, effort and initiative shown by the individual. We currently count 100 among our management ranks, all of whom started as crew members.*

*Five individuals who started as crew with our organization are now owners of McDonald's restaurants.*

*This opening message is to encourage you to take advantage of the opportunity to learn, and develop your skills. When you come to work, you may choose to do the minimum to get by or you may be diligent in your efforts seeking growth. You will find that your compensation will be relative to the adage that "you will get out of your efforts exactly what you have put into them."*

*There are opportunities to succeed with us and beyond, regardless of your education and work experience. The only restriction to your advancement would be your own lack of determination.*

*I appreciate what each and every one of you do to assure the success of The AlMar Smith Corporation and Morgallen LLC and the individuals who comprise this organization. I also appreciate you remembering that we are a people business and that we treat others as we would like to be treated.*

*My best wishes,*

*Mary Jo Smith*

**FIRST DAY CHECKLIST**

THIS RESTAURANT IS OWNED AND OPERATED BY: Mary Jo Smith

OUR RESTAURANT ADDRESS IS:

\_\_\_\_\_  
\_\_\_\_\_

RESTAURANT TELEPHONE NUMBER IS: \_\_\_\_\_

Store Manager/General Manager: \_\_\_\_\_

RESTAURANT MANAGEMENT TEAM:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PAY DAY IS: Bi-weekly on Friday \_\_\_\_\_

FIRST WORK DAY: DATE \_\_\_\_\_

TIME \_\_\_\_\_

NOTES: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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## **INTRODUCTION**

### **YOUR HANDBOOK**

This is your Employee Handbook. It is only for employees of The AlMar Smith Corporation and Morgallen LLC.

This handbook discusses those programs and policies that affect your job, your compensation, your performance, and time away from work. However, if at any time you have any questions that the handbook does not answer, you should contact your supervisor.

The AlMar Smith Corporation and Morgallen LLC reserve the right at their sole discretion to amend the contents of this handbook at any time without prior notice. The provisions of this handbook do not establish contractual rights between The AlMar Smith Corporation or Morgallen LLC and their employees.

Of course, changes in the law may affect the benefits program in this handbook.

Please note when reading this handbook, the term “employee” refers to all management, crew, maintenance, and office personnel. The name “McDonald’s” is used in general throughout the handbook when referring to the employer; use of the name “McDonald’s” refers specifically to The AlMar Smith Corporation and Morgallen LLC, as the employer.

No representative of The AlMar Smith Corporation or Morgallen LLC other than the Chief Executive Officer, Mary Jo Smith, has any authority to enter into any agreement contrary to the above.

### **EMPLOYMENT AT YOUR McDONALD’S**

Who is your employer? When you work at this McDonald’s restaurant, you are employed by an independent owner of the restaurant (also known as a “franchisee” or “owner/operator”). McDonald’s Corporation is not involved in any way in the employment matters of the independently owned McDonald’s restaurants. Individuals employed by independent owners of McDonald’s restaurants are not employees of McDonald’s Corporation or its subsidiaries. If you are uncertain as to who is your employer, you should ask your restaurant manager.

Your employment is at-will. The statements in this guide are not promises and do not create any kind of employment contract. This means that both you and the employer are free to terminate employment at any time, with or without notice, or for any reason or for no reason at all. The employer reserves the right in its sole discretion, without any prior consultation or agreement with any employee, to change or modify any of its policies at any time, with or without notice. The at-will nature of employment may be modified or changed only in writing addressed specifically to you expressly stating that you are no longer employed at-will, and which is signed by both you and the owner of the restaurant. A no-call no-show is considered a quit.

This McDonald’s organization:

- Has fair wage and employment practices so that employees can build a future for themselves and their families.
- Provides on-the-job learning of skills that prepare crew members for their current and future jobs.
- Creates opportunities for promotion and advancement.
- Works with government agencies to provide employment opportunities for people with disabilities.

The majority of McDonald’s Restaurants are independently owned and operated under a franchise business system. The organization which you are working for began in 1970 and is operated by Mary Jo Smith. Our supervisors, managers and employees have been responsible for winning numerous awards including the Golden Arch, the Alpha Award, the Ray Kroc Award, Outstanding Store Awards, Triple A Store Awards, Outstanding Manager Awards, Excellence in Training Awards, People Development Awards, Outstanding Team Awards, and Seminar Awards. The organization has also won Outstanding Drive-thru Awards, Cleanliness, Décor and Service Awards along with many recognition’s for community activities in the areas where our restaurants are located. Our company has also received special recognition from McDonald’s Corporation, the Ohio House of Representatives, the Ohio Senate and various city councils and county commissions for our civic involvement.

## ***INTRODUCTION***

### **EMPLOYMENT AT YOUR McDONALD'S (Cont.)**

Your experience can take you many places. Five of our former employees now own their own McDonald's Restaurants, achieved with the encouragement and assistance of our organization. Other alumni crew members include television newscasters, local councilmen, school board president, congressional aide, Military Academy graduates, a country western singer and one major league baseball player. Others that have started their employment history with us are now policemen, firemen, teachers, attorneys, doctors, clergy and many other career positions. There is a proud employment heritage connected with the training and experience that goes with working in a McDonald's Restaurant. We are an organization that is proud of its present employees and the accomplishments of our former employees.

Companies need the skills you will acquire at your McDonald's restaurant. Here you will learn to:

- Work with people.
- Constantly master new skills.
- Communicate – listen, discuss and understand.
- Be flexible.
- Work quickly and efficiently.
- Take responsibility.
- Work with systems and procedures.

## ***POLICIES AND PROCEDURES***

Your Owner/Operator reserves the right, at his discretion to amend these policies, programs and/or guidelines, which includes the contents of this handbook, without prior notice. This handbook and other McDonald's policies, programs and manuals, which are issued from time to time, set forth procedures and guidelines, which may or may not be applicable in a particular situation according to the Owner/Operator's sole discretion. Any words or phrases used in this Handbook shall be interpreted by the Company in its sole and exclusive discretion.

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

Our company values a diverse workforce. Our vision for diversity and inclusion is to leverage the unique talents, strengths, and assets of our employees in order to provide the world's best quick service restaurant experience. We continuously strive to maintain an environment in which every employee feels accepted, rewarded, and valued as an integral part of the team. We are an equal opportunity employer and comply with all applicable federal, state and local fair employment practices laws. This policy ensures a practice of equal employment opportunity regardless of race, color, religion, creed, national origin or ancestry, ethnicity, sex, sexual orientation, gender (including gender nonconformity and status as a transgender or transgender or transsexual individual), pregnancy, childbirth, or related medical conditions, age, physical or mental disability, citizenship, past, current or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, Ohio or local law.

### **AMERICANS WITH DISABILITIES ACT POLICY STATEMENT**

McDonald's makes every effort to ensure that qualified individuals with a disability, including pregnancy, are not discriminated against with respect to the terms, conditions, or privileges of employment. The Company complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act, and all applicable state or local law. Under certain circumstances, these laws require employers to provide reasonable accommodations to qualified individuals with disabilities in various aspects of their employment.



## **POLICIES AND PROCEDURES**

### **AMERICANS WITH DISABILITIES ACT POLICY STATEMENT (Cont.)**

Any employee or applicant who requires an accommodation to perform the essential functions of the job should contact the Store Manager, Supervisor, or Owner/Operator and request an accommodation. Once the Company is aware of the request for an accommodation, the Company will engage in an interactive process to determine what limitation(s) may prevent the employee from performing the job, and identify possible accommodations that may resolve the limitation(s), thereby enabling the applicant or employee to perform the essential functions of the job. If the Company and employee, through the interactive process, can identify accommodation(s) that are reasonable and do not impose undue hardship on the Company and do not present a possible direct threat to the health or safety of others in the workplace or to the individual, the accommodation will be granted. The interactive process described in this policy is a collaborative process. An employee seeking an accommodation shall cooperate with the Company's requests.

Consistent with these requirements the Company will reasonably accommodate qualified individuals with a disability (including pregnancy) if such accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

### **APPEARANCE AND HYGIENE**

Because this is a business and you are expected to act in a professional manner, you are also expected to dress in a professional manner.

When you are scheduled to work, your expected dress is your appropriate uniform in a neat and clean condition.

If you are attending an off-site meeting or class, you are representing our organization and your acceptable dress would be that of "professional casual," which means slacks or khaki-style pants, shirts with collars, knee-length skirts or, two-piece dresses, or similar attire.

It is McDonald's policy to stress the highest standards possible in all phases of its operations, including standards regarding cleanliness and neatness. The following guidelines have been developed and are published to assist the employee in meeting these standards:

Hands must be washed thoroughly with anti-microbial hand wash prior to starting your shift. During the course of your day, if you leave your work station for a break, a change in job assignment, use the restroom facilities, or for any other reason, you must again thoroughly wash your hands. At least once an hour, you should use the time-out hand sanitizer. These dispensers are conveniently located throughout the restaurant.

Washing hands properly probably is the most important thing an employee can do to help ensure that our customers receive safe food.

#### **Employees must wash their hands...**

- Before entering the kitchen and touching food.
  - After using the restroom
  - After taking a break
  - After handling garbage or cleaning supplies
  - After touching the face, hair, or body
  - After coughing or sneezing
  - After smoking, eating, or drinking
  - Any time there is a potential for cross contamination
- Jewelry, such as earrings and neck-chains, is permissible when it is moderate, worn in good taste, not excessive and not be a safety hazard to the employees or customers Jewelry is, however, limited in size and amount. Only one set of earrings is allowed and the earrings must be no larger than a dime.
  - Visible body piercing and visible tattoos is at the discretion of the Restaurant's Supervisor.
  - Buttons, tags and other items that are pinned or otherwise attached to or displayed on the uniform other than those provided by the Company can detract from the brand image we strive to strengthen through our crew uniforms. Accordingly, employees may not wear more than one button, in addition to those provided by the Company.

## ***POLICIES AND PROCEDURES***

### **APPEARANCE AND HYGIENE (cont.)**

- The use of cosmetics should be subtle and in good taste. This includes hair coloring, face makeup, nail polish and colognes.
- All hair must meet our standards, which means natural colors, acceptable style and length. Hair must be clean, restrained, off the face, and pinned back or up.
- Hair must be kept under control by hats, clips, or rubber bands at all times. Sideburns, mustaches and beards must be neatly trimmed and groomed.
- Employees are also expected to maintain good personal appearance, hygiene and grooming standards befitting their job with due consideration to the needs of the Company, the perceptions of its customers, fellow employees, and safety.
- If you have questions about these standards or difficulty in meeting them, you are encouraged to discuss your questions with your Supervisor. Remember, we are in the food handling business and appearance is very important to our customers.

McDonald's strives to serve the highest quality food to our customers. If you have an infectious or contagious illness that may prevent you from serving food or handling food equipment in a sanitary manner contact the General Manager, Supervisor, or Director of Operations.

### **RELIGIOUS, MEDICAL, GENDER IDENTITY, AND DISABILITY ACCOMMODATIONS**

The Company will reasonably accommodate exceptions to this policy if required due to an employee's religious beliefs, gender identity, medical condition or disability. Employees who need such an accommodation should contact their General Manager or Supervisor.

### **ATTENDANCE AND CALL-OFF PROCEDURE**

Attendance on the job each and every day you are scheduled is absolutely essential. Employees are required to be in full uniform, ready for work in their work areas, at their designated starting time. Employees are considered tardy or late if they are not in full uniform and ready for work at their designated starting time, or clock-in after their designated starting time. Unexcused or excessive absenteeism or tardiness will be grounds for disciplinary action, up to and including termination.

The Company recognizes that its employees will miss work from time to time due to ill health, death or illness in the immediate family, or for personal business. If an employee is unable to report for work at his or her regular starting time due to illness, injury, or other emergency, the employee or someone authorized to act on his or her behalf must phone the store and notify the employee's supervisor or store manager at least four (4) hours in advance of the absence, if possible, or the night before an opening shift, but in no case later than the beginning of the employee's shift. If a supervisor or store manager is unavailable, employees must leave a voicemail or other message that they will receive that clearly states the employee's name, the telephone number where the employee can be reached, the reason for absence, time of call and any other information the supervisor or store manager should know. If an employee is unable to work a scheduled shift and fails to timely notify a supervisor or store manager, the supervisor or store manager may consider the absence to be unexcused and/or a voluntary quit.

### **FMLA/ADA**

If you are entitled to FMLA leave due to a serious medical condition or a serious medical condition of a family member or other qualifying reason, or to a reasonable accommodation due to disability, and you have acted in accordance with the provisions governing ADA accommodations and FMLA leave contained in this handbook, you will not be subject to disciplinary action for attendance.

## ***POLICIES AND PROCEDURES***

### **BREAK PERIODS**

The Company is aware of the need for short breaks during the course of a working shift. Short paid breaks may be up to five (5) minutes in duration and may be distributed throughout the shift. The number of breaks provided will depend on upon the length of the employee's shift, the station he or she is working, store needs and overall job performance. These short breaks may be given by a supervisor or store manager, or may be at the employee's request with a supervisor's or store manager's approval. Breaks must not be taken without prior authorization from a supervisor or store manager.

Additionally, certain hourly employees, including crew, crew trainers, maintenance personnel, and minor employees as defined by applicable law, will be allowed to take one longer, unpaid meal break for all shifts lasting five (5) hours or more. The unpaid break will be thirty (30) minutes in duration, but may be extended at a supervisor's or the store's manager's discretion. The employee's supervisor or the store manager will also determine when during a shift the unpaid break may be taken. How the employee chooses to spend his or her unpaid break time is up to the employee, except that the employee is not allowed to perform any work nor otherwise violate any Company policies during the unpaid break, and must return to work on time when the unpaid break ends.

### **BULLETIN BOARDS**

In order to communicate current important topics with our employees, we maintain bulletin boards. Bulletin boards are located in the Break Room to ensure you have constant access to posted information.

Our bulletin boards are used to communicate official information on equal employment opportunity, wage and hour, health and safety, and other issues. They are also used to communicate information regarding our policies, and announcements, including but not limited to safety rules, health items, benefits programs, and notices announcing special events.

Bulletin boards may not be used by employees or outside parties for the posting of commercial notes and advertisements, announcements, etc.

### **CASH POLICIES**

- Careful attention to handling money or cash equivalents is required at all times. (Cash equivalents include: Gift Certificates, Redeemable Coupons, BOG Cards, Petty Cash.) Any carelessness with respect to cash-handling will result in disciplinary action, up to and including termination.
- The lending, borrowing, theft or misappropriation of company funds or properties is prohibited. Failure to deposit payments received from outside services (i.e., utility reimbursements, Ronald McDonald House Charities funds, etc.) is prohibited.
- All cash policy violations by crew and management must be documented and retained. Documentation must be available for all cash policy violations by a crew member or management.
- All monies will be kept in the safe until the bank deposit is made.

### **CASH CONTROL POLICIES**

Handling money properly is an important aspect of our business. When proper cash control procedures are implemented and practiced, you will reduce cash losses and increase accountability within your restaurant.

**The following are key cash control policies that are to be followed in every restaurant effective immediately:**

- Cash must be secured at all times.
- The day lock setting for the safe is not permitted at any time.
- Absolutely no borrowing of company funds from back-up.

## ***POLICIES AND PROCEDURES***

### **CASH CONTROL POLICIES (cont.)**

- The manager running the shift and the crewperson assigned to a specific drawer must verify the amount before the drawer is used and after it has been pulled.
- Only one crew person per drawer.
- Eliminate or reduce traffic in the office while working on the deposit.
- Only one deposit per bag.
- Deposits for birthday parties may be included in the bag but should not be listed on the tear-off strip.
- Complete all information on each bag EXCEPT the account number.
- The day shift manager making the deposit is responsible for taking that deposit to the bank.
- The opening manager is responsible for taking the prior night's deposits to the bank.
- The manager who is making the deposit is responsible for the entire contents of each bag and for any discrepancy in the amount.
- Any overages or shortages are the responsibility of the manager doing the deposit.
- There should be enough coin and small bills available in back-up to prevent having to open any deposit bag.
- Opening of any sealed deposit bags is not allowed.
- There should be only one manager at any given time who is responsible for the contents of the safe.
- The contents of the safe, including petty cash, deposit bags, if any, gift certificates, and all drawers must be verified by both managers when changing shifts.

### **CASH REGISTER POLICIES**

**NO EMPLOYEE WILL USE OR DIVERT STORE CASH, OR OTHER McDONALD'S PROPERTY FOR PERSONAL USE, WHETHER FOR A TEMPORARY OR EXTENDED PERIOD OF TIME.**

- Every window person starts with a clean (unused) drawer.
- A window person is to work only the drawer assigned to them. They are not to ring on any other drawer or permit any other employee, including managers, to ring on their drawer. To ensure security when they leave for break, cleaning duty or any other reason, the window person must have the manager lock their drawer.
- A manager should handle Over-rings/Refunds.
- **ALL TRANSACTIONS MUST BE ACCOUNTED FOR!** There should never be an instance of an unpaid store order. All promo sales must be supported by a coupon or verified by a manager.
- Cash over/short should be +/- \$4.00 or less. If any of these policies are violated, the following disciplinary action occurs: **First instance, written warning; Second instance, suspension; Third instance, termination.**
- Any time a \$50 or \$100 bill is presented, call a manger before completing the transaction. If there is a variation in this policy, your supervisor will inform you.
- Whenever a drawer is unattended by its assigned employee, the drawer must be closed.
- Any incident of food giveaway or of failing to ring up completed sales can cause the employee, crew or manager, to be investigated and disciplined with possible termination and/or prosecution.
- The last order taken should remain on display until the next order is taken – except on the drive-thru screen.

## ***POLICIES AND PROCEDURES***

### **COMMUNICATIONS**

Satisfying the needs of our employees and customers requires frequent communication. Your managers will be communicating with you in several ways. They will also be asking for your input on how to make things better.

**Your own ideas.** As you work, you may find a method that saves time and energy or you may have some constructive criticism to offer. We welcome your input. In fact, many of our crewpersons' suggestions have been adopted at this McDonald's. Please feel free to share your thoughts with your management team.

**Open Door.** At our McDonald's, we value the results we have gained by keeping the door open for communication from any employee. If you feel you are not getting your message or ideas across, or if you have a problem you cannot resolve, contact your manager. If, for any reason, the situation has not been resolved by your manager, please contact your supervisor. As a final alternative, contact your operator.

**Our employees' opinions about our restaurant operations are very important to us.**

### **Social Media Policy**

If you participate in online conversations about any McDonald's, its employees or products, it is important that you do it in a way that is safe, appropriate and legal. The intent of this Policy is not to restrict the flow of useful and appropriate information, but to minimize the risk to you, your coworkers and to this McDonald's and the McDonald's Brand.

Because we want to provide 100% customer satisfaction, this independent McDonald's Owner Operator prohibits engaging in all personal online communications during working time or in working areas, even when using your personal electronic communications tools such as cell phones and other mobile devices.

#### **Know the Rules:**

- Do not comment on trade secrets and proprietary Company information (business, financial and marketing strategies) without the advance approval of the Owner/Operator.
- Do not make negative comments about our customers on any social media platform.
- Use of social media on Company equipment during working time is permitted, if your use is for legitimate, preapproved Company business. Please discuss the nature of your anticipated business use and the content of your message with the Owner/Operator. Obtain his or her approval prior to such use.
- Respect copyright, trademark and similar laws and use such protected information in compliance with applicable legal standards.
- This policy applies to any form of personal social networking, including without limitation, postings outside of work hours and through non-Company computer systems.

#### **Restrictions: (YOU MAY NOT do any of the following)**

- Due to the potential for issues such as invasion of privacy (employee and customer), sexual or other harassment (as defined by our harassment/discrimination policy), protection of proprietary recipes and preparation techniques, employees may not take, distribute, or post pictures, videos, or audio recordings while on working time. Employees also may not take pictures or make recordings of work areas. An exception to the rule concerning pictures and recordings of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and/or working condition concerns or of strike, protest and work-related issues and/or other protected concerted activities.
- Use the Company's (or any of its affiliated entities) logos, marks or other protected information or property for any business/commercial venture without the Owner/Operator's express written authorization.
- Make knowingly false representations about your credentials or your work.
- Create a blog or online group related to the Company (not including blogs or discussions involving wages, benefits, or other terms and conditions of employment, or protected concerted activity) without the advance approval of the Owner/Operator. If a blog or online group is approved, it must contain a disclaimer approved by the Owner/Operator.

## ***POLICIES AND PROCEDURES***

### **Social Media Policy (Cont.)**

- Department Managers, General Managers, Area Supervisors, and office employees may not “friend” or otherwise “invite” crew members on any social media site.

#### **Do Not Violate the Law and Related Company Policies:**

- Be thoughtful in all your communications and dealings with others, including email and social media. Never harass (as defined by our anti-harassment policy), threaten, libel or defame fellow professionals, employees, customers, competitors or anyone else. In general, it is always wise to remember that what you say in social media can often be seen by anyone. Accordingly, harassing comments, obscenities or similar conduct that would violate Company policies is discouraged in general and is never allowed while using the Company’s equipment or during your working time.

#### **Discipline:**

- All employees are expected to know and follow this policy. Nothing in this policy is, however, intended to prevent employees from engaging in concerted activity protected by law. If you have any questions regarding this policy, please ask the Owner/Operator before acting. Any violations of this policy are grounds for disciplinary action, up to and including immediate termination of employment.

### **Computer Technology / Internet**

Computers provided by the company are for business purposes and should not be used for personal business during working time. Violations of this policy will result in disciplinary action. Most computer systems are bought with games already loaded. No employee of McDonald’s should load a computer game or other program on the McDonald’s computer system. In addition, no computer games should be played during regular working hours. Violations of this policy will result in disciplinary action.

No employee of McDonald’s shall load any software on the computer system without the consent of the Director of Operations and owner/operator.

The purposes of this policy are:

1. To protect the computer from viruses.
2. Software should be to assist the employee in their job and to be more productive.
3. To ensure fairness to all employees.

Company provided voice mail, e-mail, work provided apps, and computers are maintained by the Company in order to facilitate our business. Therefore, all messages sent, received, composed and/or stored on these systems are the sole property of the Company.

Messages or communications on Company voice mail, e-mail, work provided apps or computer systems are subject to the same policies regarding harassment and discrimination as are any other workplace communications. Offensive, harassing or discriminatory content will not be tolerated. Content that is considered offensive includes, but is not limited to, any message which contains sexual implications, racial or gender slurs, or any other statement that offensively addresses someone’s age, sex, sexual orientation, gender identification, pregnancy status, marital status, religious or political beliefs, ancestry, national origin, citizenship or disability.

Employees should have no expectation of privacy with respect to Company provided voice mail, work provided apps, e-mail and computer based communications. Even when a message is erased, it may still be possible to retrieve it from a backup system. Therefore, employees should not rely on erasure of messages to guarantee that a message remains private. The Company reserves the right to listen to employee voice mail and read e-mail messages and messages exchanged on the work provided app, and to access employee computer files to ensure compliance with these rules. This may be done without notice to an employee and in the employee’s absence.

Notwithstanding the Company’s right to retrieve and review such material, such material should be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve any voice mail or e-mail messages that are not addressed to them.

## **POLICIES AND PROCEDURES**

### **Computer Technology / Internet (Cont.)**

Employees are prohibited from using passwords without prior authorization and registration. The existence of a password on voice mail, e-mail or computer systems is not intended to indicate that messages or other communications will remain private.

Employees are prohibited from loading any software onto a company provided computer where such action would violate the software license. Employees are prohibited from loading any software onto a company provided computer without the express approval of their manager or supervisor.

### **COMPLIANCE WITH EMPLOYMENT LAWS**

It is Company policy to abide by all federal, state, and local laws, rules and regulations applicable to the Company, and to have all its employees do the same.

Any violation or perceived violation of law should be reported to the store manager or owner, who will make every effort to investigate and address the problem promptly. Retaliation for reporting such violations or perceived violations is prohibited.

### **DRUG AND ALCOHOL FREE WORKPLACE POLICY**

The Company has vital interests in ensuring a safe, healthy and efficient working environment for its employees and the customers it serves. The unlawful or improper presence or use of illegal drugs, controlled substances or alcohol in the workplace presents a danger to everyone. For these reasons, the Company has established a drug free workplace policy.

Employees are absolutely prohibited from:

1. Manufacturing, possessing, distributing, dispensing, using, selling, or otherwise being under the influence of (including the presence of these substances in an employee's system) illegal drugs (such as cocaine, marijuana, heroin, ecstasy, PCP, LSD, etc.) or drug paraphernalia on Company premises, on Company business, or at any time during work hours.
2. Engaging in the unlawful or unauthorized manufacture, possession, distribution, dispensation, use or sale of other controlled substances (such as prescription or non-prescription medications) or alcohol or otherwise being under the influence of such substances (including the presence of these substances in an employee's system) on Company premises, while conducting Company business on or off Company premises, or at any time during work hours, except when the use is pursuant to a doctor's orders and the substance does not adversely affect the employee's ability to safely perform his or her job duties.
3. Using alcohol off Company premises or possessing, using, manufacturing, distributing, dispensing or selling illegal drugs or controlled substances off Company premises, where that conduct adversely affects the employee's attendance, work performance, the employee's or others' safety at work, or the Company's reputation in the community.
4. Testing positive for alcohol or drugs.
5. Refusing to submit to an alcohol or drug test.

Any employee violating this policy is subject to discipline, up to and including termination.

Employees who take over-the-counter medication or other lawful medication that can be legally prescribed under both federal and state law to treat a disability must inform their supervisors if they believe the medication will impair their job performance, safety or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication. The employee is not

## **POLICIES AND PROCEDURES**

### **DRUG AND ALCOHOL FREE WORKPLACE POLICY (cont.)**

required to identify the medication or the underlying illness. Various federal, state, and local laws protect the rights of individuals with disabilities and others with regard to the confidentiality of medical information, medical treatment, and the use of prescription drugs and substances taken under medical supervision. Nothing contained in this policy is intended to interfere with individual rights under, or to violate, these laws.

An employee suspected of possessing or abusing alcohol, an illegal drug, intoxicant, or a controlled substance is subject to inspection and search with or without notice. Employees' personal belongings, including any bags, purses, briefcases, and clothing, and all Company property, are also subject to inspection and search, with or without notice. Employees who violate the Company's drug and alcohol policy or who are suspected of violating this policy (as determined at the Company's discretion) will be removed from the workplace immediately and will be subject to disciplinary action. The Company may also bring the matter to the attention of appropriate law enforcement authorities. Any conviction for criminal conduct involving illegal drugs, intoxicants, or controlled substances, whether on or off duty, or any violations of the Company's drug and alcohol abuse policy, may lead to disciplinary action, up to and including termination.

Whenever the Company reasonably suspects that an employee's work performance or on-the-job behavior may have been affected in any way by alcohol or drugs, or that an employee may have contributed to a serious accident, the Company may require the employee to submit a urine and/or blood sample for alcohol and/or drug testing.

The Company maintains a policy of non-discrimination and reasonable accommodation with respect to recovering addicts and alcoholics, and those having any medical history reflecting treatment for substance abuse conditions. Discrimination or retaliation against any employee because he or she seeks treatment for substance abuse, or has undergone or is undergoing such treatment, is strictly prohibited. The Company therefore encourages employees to seek assistance before drug or alcohol abuse results in poor job performance, misconduct, an inability to perform essential job functions, or jeopardizes the health or safety of any employee or customer.

### **LEAVES OF ABSENCE POLICIES**

#### **General Policies Regarding Leaves**

There are several general policies which pertain to all types of leaves of absence.

1. A written request for a leave must be submitted to an employee's immediate supervisor at least thirty (30) days in advance or as far in advance as possible if there are extenuating circumstances.
2. Unless an extension is requested and approved, employees are expected to report their status at the end of the approved leave. If an employee fails to report his or her status on the first workday after the expiration of the leave, he or she will be considered to have voluntarily terminated his or her employment.
3. All leaves of absence are granted without pay, unless noted otherwise in this employee handbook or required by law.
4. Employees are not eligible to receive holiday or vacation pay (if available) while on leave of absence. Under certain conditions employees may be required to use vacation time for leave under the FMLA or other reasons.
5. Any leave of absence obtained through false pretenses will result in termination of employment.
6. Unless otherwise required by law, an employee on leave of absence is subject to job elimination or reduction-in-force the same as an employee who is not on leave of absence.
7. Unless otherwise required by law, while on leave, employees must pay the Company directly for the premiums on their group insurance plans in order to maintain coverage.
8. Working elsewhere (including self-employment) without prior management approval while on leave of absence or pursuing an interest which conflicts with the purpose of an employee's leave, will result in termination of employment.



## ***POLICIES AND PROCEDURES***

### **Family and Medical Leave Act (FMLA) / Military Leave**

Our company provides leave according to the Family and Medical Leave Act of 1993 (FMLA). The 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, son, daughter 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, son, daughter 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 FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions 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 a covered employer for at least 12 months, have 1,250 hours of service in the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

#### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualifying family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## ***POLICIES AND PROCEDURES***

### **Family and Medical Leave Act (FMLA) / Military Leave (cont.)**

#### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave 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. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

#### **Employee Responsibilities**

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

Employees must provide sufficient information for the employer 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 the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

#### **Employer Responsibilities**

Covered employers must 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 employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

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

#### **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; and
- 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.

#### **Procedure:**

1. **Approval.** All family and medical leave requests will be reviewed by an employee's store manager or supervisor. The Company will inform an employee who requests FMLA leave whether or not he or she is eligible for FMLA leave. If the employee is eligible, the notice will specify any additional information required as well as the employee's rights and responsibilities under the FMLA. If the employee is not eligible, the Company will provide the employee with a reason for the ineligibility. Additionally, the

## ***POLICIES AND PROCEDURES***

### **Family and Medical Leave Act (FMLA) / Military Leave (cont.)**

2. Company will inform the employee whether or not his or her absence will be designated as FMLA-protected leave and the amount of leave that will be counted against the employee's FMLA leave entitlement.
3. **Arrangements.** All family and medical leaves will be arranged through the employee's store manager or supervisor through the completion of the Employee Leave Request form.
4. **Benefit Continuation.** Any group health insurance benefits that the employee has will continue while an employee is on family or medical leave under the same terms as if the employee continued to work. Any premium contribution for which the employee is responsible must continue to be paid by the employee while on leave. If the employee fails to return to work at the expiration of his or her leave period, the employee will be required to reimburse the Company for any and all premium payments made on the employee's behalf during the period of leave. Such reimbursement will not be required if the employee fails to return due to his or her own continuing serious health condition or circumstances beyond the employee's control.
5. **Leave Duration.** Leave (except for leave to care for a covered service member) may be taken for up to twelve work weeks during any twelve-month period. This twelve-month period will be calculated as a rolling twelve-month period measured backward from the date the employee would commence the requested leave. Leave to care for a covered service member may be taken for up to twenty-six (26) weeks in a single 12-month period measured from the first day leave is taken.
6. **Certification.** Employees requesting leave for their own or a covered family member's serious health condition will be required to provide medical certification to substantiate the leave request. Such certification should be provided within fifteen (15) days of the leave request, if practical, otherwise within a reasonable period of time. Failure to provide certification will result in denial of FMLA leave until such time as the certification is received.

Before being permitted to return to work from a medical leave due to the employee's own serious health condition, the employee will be required to provide certification from his or her health care provider that the employee is able to return to work and perform all functions of the job.

The Company reserves the right to have an employee or covered family member examined by a health care provider of its choice for a second opinion at its discretion. The Company shall pay for any such examination. In the event of a conflict between the medical opinion of the employee's or covered family member's health care provider and that of the Company in the second opinion examination, a third examination may be required by a health care provider mutually agreed upon by the Company and the employee and paid for by the Company. The opinion of the third health care provider shall be final and binding on the Company and the employee.

Appropriate certification also will be required when an employee requests leave for a qualifying exigency or to care for a qualifying service member.

7. **Use of Accrued Leave Time.** Employees will be required to use all accrued unused paid vacation and personal leave, if available, in the event of a leave for the birth of the employee's child, placement of a child for adoption or foster care, or for the employee's or covered family member's serious health condition.

For leave for the employee's own serious health condition, employees may also be eligible to receive other benefits such as short-term disability or worker's compensation, in accordance with Ohio state law and the terms of any applicable benefit plan.

8. **Reinstatement After Leave.** Eligible employees taking leave under this policy will be reinstated to their former position, or to an equivalent position with equivalent benefits and other terms and conditions of employment. However, no employee is entitled under this policy to any right, benefit or position other than that to which the employee would have been entitled had he or she not taken leave. Thus, for example, if a reduction-in-force or some other business condition arises which affects the employee's position, reinstatement may not be possible.

## **POLICIES AND PROCEDURES**

### **Family and Medical Leave Act (FMLA) / Military Leave (cont.)**

9. **Periodic Notification During Leave.** Employees may be required while on family or medical leave to contact their supervisor periodically to report on their status and intentions to return to work at the end of their leave period.
10. **Documentation.** In order for an employee to be considered on approved FMLA leave all appropriate documentation, including leave request and medical certification forms, must be completed.

### **Jury Duty Leave**

The Company policy is to encourage employees to fulfill their civic obligations, including completion of jury service when called. To reduce interruptions in work which may be caused by an employee's absence, employees are requested to report promptly to their supervisor or store manager that they have been called for jury duty. Employees will not be expected to work during the time they spend in jury duty; however, employees are required to report promptly for work during any day in which their services as a juror do not require their presence in court, or when they are excused from jury duty with more than two (2) hour remaining in their regular working day.

### **Military Service Leave**

Any leave of absence which is designated by law as a military service leave will be observed as outlined by federal or state law.

The Uniformed Service Employment and Reemployment Rights Act (USERRA) provides that any individual who is absent from employment because of a voluntary or involuntary military service obligation has the right to reemployment and all its accompanying benefits provided certain conditions are met. Employees should contact the store manager if they have any questions concerning a military service leave.

### **Additional Unpaid Leaves of Absence**

There are times when you need time off from work. We try to respect and accommodate employees' needs; however a request for time off work may not always be approved. Not all requests for time off can be approved or be excused. If a need for a time off arrives, you must obtain approval in advance from your manager. You must also follow our policies and practices regarding absences.

### **SMOKE-FREE WORKPLACE POLICY**

Smoking is not allowed in company buildings or work areas at any time. "Smoking" includes the use of any tobacco products, electronic smoking devices, and e-cigarettes containing nicotine cartridges, and "vaping."

Smoking is only permitted during break times in designated outdoor areas. Employees using these areas are expected to dispose of any smoking debris safely and properly.

### **SOLICITATION AND DISTRIBUTION POLICY**

For purposes of this policy, solicitation means requesting funds, purchases, services, membership in any organization, or commitments to outside organizations or causes. Distribution means handing out, dropping off, or leaving behind written material.

Solicitation by non-employees and distribution of literature for any purpose by non-employees is prohibited at all times anywhere on company property, including parking lots.

Solicitation by an employee is prohibited on company property, including parking lots, during the employee's working time or when the employee being solicited is on working time. Working time is the time employees are expected to be working and does not include rest, meal, or other authorized breaks. Solicitation by employees is

## **POLICIES AND PROCEDURES**

### **SOLICITATION AND DISTRIBUTION POLICY (Cont.)**

also prohibited even when not on working time if such solicitation takes place at any time in the working areas of the restaurant. Solicitation is always prohibited in customer selling areas.

Distribution of literature by an employee is prohibited on company property, including parking lots, during the employee's working time, as defined above, or when the employee receiving the material is on working time. Distribution by employees is also prohibited even when not on working time if such distribution takes place in customer selling areas or in employees' working areas. Company property, including parking lots, must be kept clean and free of litter at all times.

### **PERSONAL PROPERTY POLICY**

Storage areas are provided for the convenience of the Company and the Company retains full use and control of the premises and its furnishings at all times. The Company may search any Company property under the control of the employee, as well as the employee's personal effects or vehicle on Company property. The Company is not responsible for the loss or theft of employee property.

### **PERFORMANCE REVIEW PROCESS**

The purpose of a performance review is to let you know how you are doing and how you can improve. Store Management employees are entitled to receive a minimum of one written performance review a year, accompanied by goals and objectives. Written performance reviews, complete with goals and objectives, are given by the immediate supervisor and signed by the employee acknowledging the communication and understanding of the evaluation. If the employee disagrees with the rating, it should be noted on the review and signed by the employee.

- **Outstanding** - Performance is always of exceptional quality; our best performers.
- **Excellent** - Performance consistently exceeds job requirements and expectations; significant contributor.
- **Good** - Performance meets job requirements and expectations; steady contributor, job well done.
- **Needs Improvement** - Performance falls short of meeting job requirements and expectations. Performance must improve.
- **Unsatisfactory** - Performance is unacceptable; has significantly failed to meet job requirements.

### **DECLINING PERFORMANCE GUIDELINES**

We hope that everyone's career at McDonald's will be exciting and challenging and that they will be successful in their jobs.

Should performance or other work problems occur, McDonald's has found that the use of progressive discipline is often advantageous to the employee and McDonald's alike.

**Progressive discipline may include elements such as one or more of the following:**

- Verbal counseling
- Written warning which outlines the areas needing improvement
- Probation, during which goals or objectives will be set for the employee to meet

If your performance needs improvement or is unsatisfactory and McDonald's determines to utilize progressive discipline, you should discuss the circumstances, which are viewed as unsatisfactory with your supervisor. An employee who fails to demonstrate a genuine effort to improve their performance during a progressive disciplinary

## **POLICIES AND PROCEDURES**

### **DECLINING PERFORMANCE GUIDELINES**

period may be terminated prior to the expiration of that period. Generally, any scheduled salary increase will be postponed during a progressive disciplinary period.

Employment is at the will of the employee and employer and your owner/operator may, at his sole discretion, decide to terminate an employee without having utilized any of the progressive discipline procedures discussed above.

*We, as an employer, maintain the right to select the form of discipline we deem appropriate or terminate an employee with or without cause and without notice.*

### **PROGRESSIVE DISCIPLINARY ACTIONS**

**Our basic progressive disciplinary action consists of a three-step process, which is as follows:**

1. First offense - Written Warning
2. Second offense - Suspension Without Pay
3. Third offense - Termination

### **SERIOUS OFFENSES**

Since it is impossible for us to anticipate every form of misconduct, which might call for discipline, the following are examples of serious offenses, which may result in more serious disciplinary action, including termination.

- Theft, destruction, defacing, misuse, or willful abuse of property belonging to McDonald's or another employee.
- Theft, including giving away and/or under-ringing food products, consuming food in the restaurant which was not purchased or received pursuant to store meal policies, materials that are confidential and properties such as parts, tools, etc. is prohibited
- Possession, sale of, consumption of, or being under the influence of illegal drugs on company premises or while performing company business.
- Possession or consumption of alcoholic beverages on company premises (except when supported, authorized and supervised by the company); selling or being under the influence of alcohol on company premises or while performing company business (except when supported, authorized and supervised by the company.)
- Abusive or threatening behavior
- Insubordinate conduct
- Falsification of any records
- Job abandonment
- Flagrant disregard of McDonald's policies
- Use of inappropriate language
- Disregard for our security procedures
- Violating our anti-harassment/discrimination policy

**In cases when a serious offense has occurred and it becomes necessary to take immediate action, the following procedures may be applied:**

- If necessary, suspension without pay for a time that permits review and a decision regarding the offense. Depending on the outcome of the investigation and decision-making process, appropriate action will be taken.
- The procedures for progressive discipline will not apply in the case of serious offenses.
- The above procedures are guidelines and will vary according to the circumstances of a particular situation.

## ***POLICIES AND PROCEDURES***

### **SECURITY**

Good security attitudes and practices are the responsibility of each and every person in our restaurants. McDonald's places tremendous value on the safety and security of those who make us so successful. Our managers, crews and owner/operator need to work collectively with the understanding that our first priority is the safety of our crews, managers and customers. Management employees are expected to report apparent violation(s). Failure to do so will be grounds for appropriate discipline.

### **NON-DISCRIMINATION & HARASSMENT POLICY**

#### **NON-DISCRIMINATION POLICY**

Our company strictly prohibits and does not tolerate discrimination against employees, applicants, customers, suppliers, vendors, consultants, or any other persons because of race, color, religion, creed, national origin or ancestry, ethnicity, sex, sexual orientation, gender (including gender nonconformity and status as a transgender or transsexual individual), pregnancy, childbirth, or related medical conditions, age, physical or mental disability, citizenship, past, current or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state or local law. All employees and representatives are prohibited from engaging in unlawful discrimination. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, promotion, discipline, compensation, benefits and termination of employment.

#### **UNLAWFUL HARASSMENT**

Our company strictly prohibits and does not tolerate unlawful harassment against employees, applicants, customers, suppliers, vendors, consultants, or any other persons because of any of the protected categories mentioned above, or any other characteristic protected under applicable federal, state or local law. Our company's anti-harassment policy applies to the workplace and to employer-sponsored events.

Prohibited conduct includes, but is not limited to:

- Physical harassment (for example, assault or inappropriate physical contact).
- Verbal harassment (for example, epithets, derogatory statements, slurs, sexually-related comments or jokes, unwelcome sexual advances or requests for sexual favors).
- Non-verbal/visual harassment (for example, displaying sexually suggestive posters cartoons or drawings, sending inappropriate adult-themed gifts, leering or making sexual gestures).

All employees, other workers and representatives, including vendors, customers, and other restaurant visitors are prohibited from harassing employees based on that individual's sex, or gender (including pregnancy and status as a transgender or transsexual individual) and regardless of the harasser's sex or gender.

Sexual harassment means any harassment based on someone's sex or gender. It includes harassment that is not sexual in nature (for example, offensive remarks about an individual's sex or gender), as well as any unwelcome sexual advances or requests for sexual favors or any other conduct of a sexual nature, when any of the following is true:

- Submission to the advance, request or conduct is made either explicitly or implicitly a term or condition of employment.
- Submission to or rejection of the advance, request or conduct is used as a basis for employment decisions.
- Such advances, requests or conduct have the purpose or effect of substantially or unreasonably interfering with an employee's work performance by creating an intimidating, hostile or offensive work environment.

#### **COMPLAINT PROCEDURE**

Our company is committed to enforcing these policies. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If you feel as though you have been subjected to any conduct that you believe violates these non-discrimination, harassment, or retaliation policies, you must promptly contact your restaurant's General Manager, or if you feel uncomfortable doing so, Supervisor,

## ***POLICIES AND PROCEDURES***

### **NON-DISCRIMINATION & HARASSMENT POLICY (Cont.)**

Owner-Operator, or your Human Resources Representative, as soon as possible after the offending conduct. If you have not received a satisfactory response after reporting any incident of what you perceive to be discriminatory conduct, please immediately contact the Owner-Operator. These individuals will ensure that a prompt and thorough investigation is conducted. In addition, these individuals will promptly and thoroughly investigate any complaint by an applicant, customer, vendor or any other person. Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. We will investigate the facts and circumstances of all claims of perceived discrimination, harassment or retaliation and will take prompt corrective action, if appropriate.

#### **NO RETALIATION**

Our company strictly prohibits and does not tolerate unlawful retaliation against any employee by any employee. All forms of unlawful retaliation are prohibited, including any form of discipline, reprisal, intimidation or other form of retaliation for participating in any activity protected by law. Examples of protected activities include:

- Lodging a good faith internal complaint (written or oral) with human resources or management specifically opposing unlawful discrimination or harassment, or complaining about violations of wage and hour law (for example, if an employee believes he has been sexually harassed or not paid overtime he is owed).
- Filing a good faith complaint of unlawful discrimination or harassment with the US Equal Employment Opportunity Commission (EEOC) or any similar state or local agency, or in court.
- Participating in our company's internal investigation into allegations of discrimination or harassment.
- Supporting another employee's internal or administrative complaint of unlawful discrimination or harassment (by, for example, testifying or providing an affidavit in support of a co-worker who has filed a discrimination complaint with the EEOC).
- Requesting an accommodation under the Americans with Disabilities Act or state anti-discrimination statutes.
- Requesting or taking leave under the Family and Medical Leave Act or filing workers compensation claims.

The examples above are illustrative only, and not exhaustive. No form of retaliation for any protected activity will be tolerated.

#### **ZERO TOLERANCE**

Any employee, regardless of position or title, whom our company determines has engaged in discriminatory, harassing, or retaliatory conduct in violation of this policy, will be subject to discipline, up to and including termination of employment.

#### **ZERO TOLERANCE POLICY OF THE ALMAR SMITH CORPORATION AND MORGALLEN, LLC REGARDING EMPLOYEE TREATMENT OF CUSTOMERS, SUPPLIERS AND VENDORS**

The employees of our company are prohibited from discriminating against or harassing customers, suppliers and vendors, based on race, color, sex, religion, national origin, age, disability, sexual orientation, or any other unlawful reason, both during work-related activities and at company-sponsored training or functions. Management employees who witness or receive reports of discriminatory or harassing behavior are required to take appropriate action, including immediately reporting such behavior to his or her Supervisor, the Human Resource representative or directly to the Owner/Operator. Any employee who receives a complaint of discrimination from a customer, supplier or vendor must bring the complaint to the attention of his/her manager immediately. These individuals will ensure that a prompt and thorough investigation is conducted.



## ***POLICIES AND PROCEDURES***

### **TIME KEEPING**

It is Company policy that employees will be paid for all hours that they work in accordance with the Fair Labor Standards Act and applicable state laws. Accurate time keeping is essential to this policy.

In addition to work schedules, the company provides time recording equipment in each store to assure an accurate record of your work time for pay purposes. You are expected to be in uniform and clock-in as you report on the floor for work. Also, you are expected to clock-out as you leave the floor at the end of your scheduled time. Employees should not clock-out while on a short break. However, any employee who takes an unpaid meal break of thirty (30) minutes or longer is also required to clock-out when going on break, and to clock-in when returning to work. It is a violation of Company policy for any employee to perform any work without being clocked-in. You will be paid for all hours required at the store, including training sessions, evaluations, crew meetings, etc. The only exception is that half hour breaks are unpaid. Please be sure to follow the proper time recording procedures so your time is correctly recorded for each pay period.

The Company understands that mistakes may occur. If any employee fails to clock-in before beginning work, or fails to clock-out after ending work, then a supervisor or store manager must be notified so that remedial steps can be taken. In all circumstances the employee will be paid for the hours he or she actually worked. However, any employee who intentionally abuses or otherwise regularly fails to follow clock-in or clock-out procedures, or falsifies records, may be subject to disciplinary action up to and including termination.

You will be paid by payroll checks. No deductions can be made unless they are required by law and/or authorized by you. You will be paid time and a half your regular rate of pay for all hours worked over 40 hours per week.

If for any reason, you believe that you have not been paid for all hours that you have worked, you should immediately contact your General/Restaurant Manager, or your Owner/Operator and they will assist you in receiving pay for all hours worked. We take seriously our obligation to pay you for all hours that you work and to follow all legal requirements with regard to meal and rest breaks. If you believe at any time that a manager is not living up to those obligations, please bring it to the attention of your General Manager, or your Owner/Operator as soon as possible so that we can rectify the situation quickly.

**Your restaurant operates seven days a week, twelve months of the year. The restaurant is closed on Thanksgiving and Christmas holidays.**

### **Overtime**

It is Company policy to ensure that all employees are paid properly under the Fair Labor Standards Act and applicable state laws. For hourly and other non-exempt employees, any time worked over forty (40) hours in a single work week is be considered overtime and will be paid at one and one-half (1.5) times that employee's regular rate of pay.

Hourly and other non-exempt employees are not permitted to work overtime, or more than forty (40) hours in a single work week, without the prior authorization of a supervisor or the store manager. Although employees will be fully paid for any overtime worked, intentionally or excessively working overtime without prior authorization may constitute grounds for disciplinary action, up to and including termination.

### **Reporting Errors**

It is Company policy to comply with all applicable laws, including the salary basis requirements of the Fair Labor Standards Act. Therefore, the Company prohibits all Company managers from making any improper deductions, including improper deductions from the salaries of exempt employees. The Company takes every precaution to avoid errors in employee pay. If an error does occur, or if an employee believes that an improper deduction has been made to his or her pay, the employee should immediately notify his or her supervisor in writing. Reports of errors or improper deductions will be promptly investigated.

## ***POLICIES AND PROCEDURES***

### **Reporting Errors (Cont.)**

If it is determined that an error or improper deduction has occurred, employees will be promptly reimbursed for the error or any improper deduction.

To assist the Company in ensuring that all employee are properly paid, employees are strongly encouraged to maintain and review their own time and pay records. Employee time and pay records is available on-line through the Employee Self-Service portal on the payroll provider's website.

### **TRAINING**

Much of this McDonald's success can be attributed to our emphasis on training. We are committed to giving you the latest information about new technology and restaurant procedures to help you serve your customers. Your management team will discuss your training needs and provide you with the instruction you need to be successful.

Learning isn't limited to formal training, however. As we've mentioned earlier in this handbook, employees consciously as well as unconsciously pick up many important job skills at McDonald's. These skills will help you throughout your work life, whether you stay with our McDonald's or continue your career at another company. Here are just a few examples:

- You'll learn quality control, inventory management, sales building, equipment maintenance, and sound safety procedures.
- You'll gain experience in interacting with people and troubleshooting.
- You'll sharpen your teamwork skills.
- You will be cross-trained in a variety of positions so that you gain a broad range of job experiences.
- You may be given opportunities to develop management skills and to further your career at our McDonald's.
- Your experience with our highly recognized and respected franchise will improve your performance and career options in any future job.

### **TRANSFERS**

There may be occasions where it is necessary to transfer an individual to a different location. We may request this transfer as a lateral move or a promotion.

### **WORKPLACE ANTI-VIOLENCE POLICY**

The Company has a zero tolerance policy toward violence or the threat of violence in the workplace. Violence, or the threat of violence, by or against any employee, vendor or customer of the Company is unacceptable and contrary to this policy. Behavior of this type will subject the perpetrator to serious disciplinary action up to and including discharge and may result in criminal charges, where appropriate. In support of this policy, the Company prohibits the possession, use, or threat of use of a deadly weapon during working time, in Company vehicles, or at any work site.

If an employee believes a violation of this policy has occurred, they should report it at once to his or her supervisor. If this presents a problem, employees may report it to a higher level of management. The Company will investigate the matter and take appropriate corrective action. An employee acting in good faith who reports actual or threatened violent behavior will not be subject to harassment or retaliation based upon such a report.

## ***POLICIES AND PROCEDURES***

### **WORKPLACE SAFETY RULES**

The Company is committed to employee safety and to the safe preservation and maintenance of its property and equipment. To accomplish these goals, the Company has adopted a safety and health program that includes safety rules and appropriate training.

**Employees are expected to adhere to the following safety rules at all times:**

1. Employees must keep their minds on the job at all times and give their work their entire attention.
2. No scuffling or horse-play on the job.
3. Do not run within the work area.
4. If an employee feels ill or in such a condition as to interfere with his or her work, he or she must report this at once to a supervisor.
5. Do not allow oil, grease, or other refuse to gather on the floor. Good housekeeping must be observed at all times.
6. All cuts, bruises or injuries of any nature received on company property or time must be reported immediately and treated as appropriate. Employees must be sure to notify their supervisor. Injury reports must be promptly completed. Failure to report work-related injuries to a supervisor within 24 hours of an accident may result in the injuries not being covered under the Worker's Compensation program.
7. Wear protective equipment when necessary or directed to do so and continue to wear as long as necessary.
8. Check equipment daily and promptly report any unsafe conditions to a supervisor.
9. Know the proper handling of chemicals, solvents, inflammables or other dangerous materials. Employees should check with a supervisor if they are not certain.
10. Observe all danger and warning signs including "No Smoking" regulations.
11. Use all applicable safety devices and safety equipment or clothing as directed.
12. Check to ensure all guards provided are in place and in proper condition before operating any equipment or machinery.
13. Do not attempt to lift, push or pull objects that are too heavy. Ask for help!
14. Learn to lift the correct way. Bend knees. Keep back erect. Get help for heavy loads.
15. Do not block aisles, stairways, exits, fire extinguishers, electrical power panels, valves and so forth.
16. Stack material carefully so that it will not fall or collapse.
17. Do not turn on or off any electricity, gas, air or water unless authorized to do so and without first seeing that no one is in a position to be injured.
18. Employees are required to obey all traffic laws while operating or riding in Company vehicles.
19. Never distract other employees from their work, especially when they are operating equipment or machinery.
20. Never climb or stand on any make-shift devices such as barrels, chairs, boxes and so forth. Use approved equipment only.
21. When using a ladder, check to see that it is strong and sturdy with no cracks or splits. All straight ladders must have safety feet.
22. Report to a supervisor all equipment, machinery, tools and other items in need of repair.
23. If in doubt as to any unsafe act or condition, consult a supervisor.
24. Use tools only for their intended purposes. Do not use broken tools or tools that are otherwise in need of maintenance.
25. Do not attempt to operate special machinery or equipment without permission and instruction.
26. Do not repair or adjust machinery while it is in operation. Never oil moving parts except on equipment fitted with safeguards for this purpose.
27. Scissors and knives must be kept in approved sheaths when not in use and only Company issued items may be used.
28. Know where first aid kits are located in the work area.

## ***POLICIES AND PROCEDURES***

### **WORKPLACE SAFETY RULES (Cont.)**

29. Know where the fire extinguishers are located and know how to operate them.
30. Do not allow any unauthorized individual into the store prior to opening or after closing (an unauthorized individual is any non-employee, or an employee that does not have specific business reason for being in the store).
31. Do not open the back door unless personally accompanied by a supervisor or store manager. While open, the door must be under management supervision. The back door alarm must be on at all times except when turned off by a manager for deliveries or maintenance and repairs.
32. Do not leave any doors open or unlocked for any reason after the store has been closed for business, except when all employees are leaving together through a designated core lock door. Doors will be locked by a supervisor or store manager only at close, and this responsibility must not be delegated. No doors are to be left unlocked for any reason or to be ajar prior to the store officially opening for business.
33. After dark, do not enter or exit through a back door, exterior kitchen door or exterior basement door for any reason (including trash removal).

### **RESTAURANT WORKPLACE VIOLENCE POLICY**

#### **About this Policy**

The AlMar Smith Corporation independently owns and operates this McDonald's-brand restaurant ("Restaurant") and is your employer, not McDonald's Corporation or McDonald's USA. Here, at The AlMar Smith Corporation, we are committed to providing a workplace that is free from violence or any other behavior that jeopardizes the safety and well-being of our employees and guests.

#### **Definition of Workplace Violence**

Workplace violence includes any behavior that interferes with our ability to maintain a safe, productive, and pleasant environment for all restaurant employees, staff, and guests. Workplace violence is more than just fighting or threatening someone at work—it can be anything that makes an employee or guest feel uncomfortable or afraid, or it can be something that makes it difficult for employees to do their job well and enjoy being at work.

These are some examples of the kinds of behaviors that are not allowed:

- Hitting, punching, kicking, pushing, or inappropriately touching another employee or a guest
- Bullying or harassment directed at one employee by another employee, even if the behavior happens away from the restaurant during non-work hours
- Bringing a firearm or other dangerous weapon to work
- Sending another employee emails, text messages, or voicemail messages which contain threatening, offensive, sexually explicit, racially or culturally insensitive, or other inappropriate content, symbols, or images, even if a personally owned electronic device is used to send the material
- Posting inappropriate materials on social media sites that offend other employees or embarrass McDonald's
- Any form of sexual harassment, including inappropriate comments or jokes, unwelcome touching, sexual advances, or sexual assault
- Bothering someone with an excessive number of unwanted visits or communications, or by following them outside of work
- Any belligerent speech or behavior, or excessive arguing or profanity
- Possessing, consuming, selling, or distributing alcohol or illegal drugs, including marijuana, in the workplace
- Intentionally damaging Company property or the property of another employee or guest
- Ignoring or disobeying company policies or health and safety regulations

## **RESTAURANT WORKPLACE VIOLENCE POLICY (Cont.)**

In the interest of protecting the safety and security of our employees and guests, we reserve the right to address any behavior in addition to that described above, whenever the behavior is disruptive, concerning, or generates a reasonable concern for the well-being of Restaurant employees or guests.

### **Drugs and Alcohol**

Employees are not permitted to use or possess alcohol on Company property, except where alcohol is specifically permitted at a Company-sponsored event. Employees may not possess, consume, sell, or distribute illegal drugs, including marijuana, in the workplace, and employees are prohibited from working while under the influence of alcohol, illegal drugs, or any other substance that could prevent them from performing their job safely.

### **Weapons in the Workplace**

Employees are prohibited from possessing a firearm or other weapon on Company property, including parking areas, except in states that allow employees the right to store firearms on Company property in their private vehicles. Under these circumstances, employees must store any firearm out of plain site and keep their vehicles locked while on Company property. Weapons may not be handled or displayed on Company property, even in private vehicles.

### **When, Where, and To Whom This Policy Applies**

This policy applies to all Restaurant employees and staff, as well as vendors and contractor while engaged in business with the Restaurant.

We do not tolerate violence by or against anyone who works in this Restaurant nor by or against anyone who visits our Restaurant (for example, guests, customers, and vendors/suppliers).

This Policy applies (without limitation) in all the following situations:

- On Restaurant property
- Offsite with other employees, contractors, or vendors, including at Restaurant-sponsored events, activities, and training; on business trips; and at work-related meals and gatherings
- When using Restaurant communication systems, equipment, or resources
- Any conduct outside work hours, including text messaging and using social media on personal devices, where the conduct has an impact or foreseeable impact on the Restaurant, its employees or guests

### **For Guest or Customer Threats Specifically**

- Threatening, erratic, or aggressive behavior by guests/customers should be reported immediately to local police using 911
- If the risk of violence is imminent, employees should immediately act to protect themselves, move to a place of safety, and then call 911 to report the incident
- Employees should only attempt to help others or de-escalate the situation if they can do so without jeopardizing their own safety (access the U.S. Security resource on de-escalating aggressive behavior for more information)
- Do not engage or confront potentially violent guests/customers or follow them from inside store or office locations
- Failure of a customer to stop threatening or inappropriate behavior may result in the customer being removed from the premises and future access being restricted
- If your organization has any questions, please contact your Field Security Manager

## **RESTAURANT WORKPLACE VIOLENCE POLICY (Cont.)**

### **Reporting**

It is everyone's responsibility to keep our workplace safe. If employees feel that their safety or the safety of others is endangered at any time, or if they witness or experience any incident in which a person is abused, threatened, or assaulted in circumstances relating to their work, they must immediately report such conduct. Reports can be made anonymously, and all reported incidents will be investigated impartially and as quickly as possible. If necessary, this Restaurant will take steps to protect the victim of any violent behavior or threatened violent behavior. Reports or incidents warranting confidentiality will be handled appropriately, and information will be disclosed to others only on a need-to-know basis.

Reports of violent behavior can be made to any of the following:

- The Restaurant's General Manager
- The Restaurant's Supervisor
- Human Resources, (440) 350-0080; hr@almarsmith.com
- Owner/Operator, Mary Jo Smith (440) 350-0080

**Emergencies and immediate threats of harm must be reported to the police or other emergency personnel without delay.**

### **Enforcement**

Violations of this policy may lead, at this The AlMar Smith Corporation sole discretion, to disciplinary and/or other appropriate responsive action, up to and including termination of employment, even if it is the first offense. We also reserve the right to report abusive, threatening, or violent behavior to the proper legal authorities. This policy supplements all other Restaurant policies that require appropriate and respectful behavior.

### **Prohibition Against Retaliation**

All employees are required to cooperate fully and truthfully with any investigation of workplace violence or other misconduct. This Policy does not allow any type of retaliation against someone who makes a complaint in good faith, or participates in an investigation of a complaint, even if no violation is ultimately confirmed. Retaliation means being punished or experiencing a negative employment action because you raised a concern or complaint of a potential Policy violation or participated in an investigation. Examples of retaliation include experiencing a reduction in pay, hours, or favorable work assignments. Anyone found to have retaliated against someone for raising concern under this policy will be subject to disciplinary action under our disciplinary procedures.

### **Violence Outside of Work**

Some employees may experience violence or the threat of violence by a current or former spouse, domestic partner, boyfriend/girlfriend, family member, or friend. We strongly encourage employees experiencing violence in their personal relationships to seek outside resources, including law enforcement (when appropriate), for assistance.

Some resources that you may find helpful are located at:

- [National Domestic Violence Hotline](#) at 1-800-799-7233 or TTY 1-800-787-3224, or by [online chat](#)
- [National Sexual Assault Hotline](#) at 1-800-656-4673, or by [online chat](#)

This Restaurant requires employees to immediately notify General Manager or Supervisor of any situation that could reasonably present the risk of on-the-job violence or may impact the workplace, using any one of the reporting mechanisms discussed below. When appropriate, this Restaurant will implement a plan for at-risk employees to reduce the likelihood of a potential confrontation in the workplace.

Employees who apply for or obtain a temporary or permanent Protective Order or Restraining Order that includes the company premises must immediately notify General Manager and provide General Manager with copies of any petition or declaration seeking such orders, proof of service, and the signed court order.

## **RESTAURANT WORKPLACE VIOLENCE POLICY (Cont.)**

We are committed to supporting victims of relationship violence by enforcing any restraining orders at the workplace and by providing referrals for benefits and resources for assistance.

### **FAQs on The AlMar Smith Corporation Workplace Violence Policy**

#### **Why did The AlMar Smith Corporation develop this policy?**

We are a people-first Restaurant. We care about you and the experience you have working here. We have resources to assist you. We are all in this together, and we are stronger and better when we work together to keep this Restaurant a safe and violence-free work environment.

#### **Who is covered by this policy?**

This policy applies to all Restaurant employees and staff.

#### **What type of conduct does the policy prohibit?**

The AlMar Smith Corporation is committed to maintaining a work environment that is healthy, safe, productive, and inclusive for all—this policy prohibits employees and staff members from doing anything that makes a guest or another employee feel unsafe or uncomfortable. This includes any type of violence, or even the threat of violence, as well as any type of inappropriate or disrespectful comment or communication. Sometimes, an employee or staff member can violate this policy even when they do something when they are away from the workplace or not working.

#### **Who should I contact if I have observed or experienced violent behavior?**

Reports of violent, disruptive, or other concerning behavior should be made immediately to any of the following:

- This Restaurant's General Manager.
- The Restaurant's Supervisor.
- Human Resources, (440) 350-0080
- Owner/Operator, Mary Jo Smith (440) 350-0080

Reports can be made anonymously.

***Emergencies and immediate threats of harm must be reported to the police or other emergency personnel without delay.***

#### **What will happen if I raise a concern?**

All reported incidents will be investigated impartially and as quickly as possible. The AlMar Smith Corporation will treat all investigations, including the names of the people who report issues and those who cooperate during investigations, as confidential matters, but in some cases, certain disclosures may be necessary to fully investigate the complaint, to protect other workers, to take corrective action, or are required by law.

In appropriate circumstances, The AlMar Smith Corporation may inform the person who reported the issue of the results of the investigation, but in most cases, the results of the investigation will not be shared with employees so that the privacy of all individuals is respected.

After the investigation of your complaint is completed, if you have any continuing concerns or wish to provide information about any other situation that makes you feel uncomfortable, please reach out to the Restaurant's HR personnel or the resources listed above.

#### **Will I be protected from retaliation?**

Yes. Retaliation against anyone who makes a complaint in good faith under this policy or who participates in any investigation is strictly prohibited.

## **RESTAURANT WORKPLACE VIOLENCE POLICY (Cont.)**

Retaliation means punishing someone or taking a negative employment action because someone raised a concern or complaint under this policy, or because someone participated in an investigation. Examples might include:

- Termination of employment;
- Reduction in pay or hours, or changes in work assignments;
- Disciplining, or reassigning someone; or
- Demoting or transferring an employee.

Anyone found to have retaliated against someone for raising any concern under this Policy will be subject to disciplinary action under our disciplinary procedures.

Employees may report actual or potential acts of workplace violence or workplace misconduct anonymously.

### **What will happen if an investigation finds that inappropriate behavior has occurred?**

If our investigation confirms that this Policy has been violated or that other inappropriate conduct has occurred, the Restaurant will take immediate corrective action that is proportionate to the violation. Corrective action can come in any form, including termination, reassignment to another job or location, changes in reporting relationships, written warning, training, coaching, counseling, and/or other measures that the Restaurant deems appropriate under the circumstances.

### **As an employee, what is expected of me under this policy?**

All Restaurant employees and staff are expected to:

- Treat everyone with respect and dignity.
- Be accountable for their actions.
- Help create a work environment that is safe and free of violence.
- Report any incidents of violent, threatening, disruptive, disrespectful, or inappropriate behavior that affects anyone in the workplace.
- Complete all required training.

### **As a manager, what is expected of me under this policy?**

In addition to the above, managers and supervisors are expected to:

- Model safe and respectful behavior.
- Report all incidents of violent, threatening, disruptive, disrespectful, or inappropriate behavior when they become aware of them.
- Take reported incidents of misconduct seriously, and call law enforcement when there is an imminent threat.
- Investigate allegations of violent behavior promptly and thoroughly in partnership with Human Resources and Owner/Operator.
- Impose timely and proportionate corrective action when warranted.
- Participate in training on how to create a safer workplace through conflict resolution.

### **What should I do if I think my partner or someone else I know will try to hurt me while I'm at work?**

If you believe you are in danger or at imminent risk of harm, move to a place of safety, if possible, and immediately call police or 911. Then notify your General Manager of the situation as soon as you can.

Immediately notify your General Manager if you apply for or obtain a temporary or permanent Protective Order or Restraining Order that includes company premises.



## STANDARDS OF CONDUCT

**Basic Responsibilities:** Your most basic responsibility is **taking care of the customer** – but there are some other things we are going to ask you to do;

**Absenteeism:** If for any reason you are unable to work your assigned shift, please notify your manager as early as possible. Employees absent for personal illness or serious health conditions may be required to bring a doctor's statement indicating the nature of the illness and when the employee may return to work.

**Confidentiality:** Due to the possibility of being privy to information which is confidential or constitutes trade secrets or proprietary Company information and/or intended for company use only, all employees are required to maintain such information in strict confidence. This policy benefits you, as an employee, by protecting the interests of McDonald's in safeguarding confidential, unique and valuable information that is part of our competitive advantage in the marketplace. Should an occasion arise in which you are unsure of your obligations under this policy, it is your responsibility to consult with your supervisor. Failure to comply with this policy could result in disciplinary action, up to and including termination.

**Emergency Information:** In order to keep our records up to date, always notify your management team when you change your name, address, telephone number, emergency contact, or availability.

**Reporting Accidents:** Immediately alert a member of the management team if you spot an illness, accident or unsafe working condition in the restaurant. Likewise, if you're injured on the job, report it immediately.

**What To Do If You Are Ill:** If you have, or suspect you may have an illness or disease that may be spread through food handling, do not come to work. Instead, call and report this to your General Manager immediately. These illnesses/diseases include, but are not necessarily limited to, Typhoid, Salmonella, Shigella, Hepatitis A, Norovirus, Campylobacter or E.coli. Similarly, if you have come into close contact at work, school, or home with someone who has (or is suspected of having) one of these illnesses, do not come to work. Instead, immediately contact your General Manager to discuss the situation.

**Personal Hygiene:** Always ensure that you arrive for work thoroughly clean and neat. Hands must be washed when you start your shift, change stations, handle money, eat, clean, or use the restroom, with the antimicrobial hand soap provided to you.

**Cell Phones and Electronic Devices:** The use of cell phones and electronic devices is strictly prohibited while on working time. Cell phones must be on silent mode and out of the view of customers. Any emergency calls that the employee receives should come through the restaurant telephone. Employees may use cell phones while on break.

**Uniforms:** When you are on the job, always wear the approved uniform. Keep your uniforms clean, (they may be machine washed and tumble dried). If your uniform is no longer presentable due to age or wear, or you need more uniforms, please inform a member of your management team. You are responsible for returning your uniforms when your employment ends. Uniforms may not be altered.

## STANDARDS OF EMPLOYEE CONDUCT & CORRECTIVE ACTION

The Company is the leader in the fast food industry. One of the major reasons is because of the pride and dedication the Company's employees convey to its customers. To ensure that it maintains this image, the Company has established standards of conduct for employees. If employees have any questions about these standards, they should ask their store manager or supervisor.

These policies apply to employees whenever the employee is representing the Company. It is impossible to list all violations of Company policy or improper conduct; however, the following list sets forth examples of violations which may result in disciplinary action up to and including termination of employment:

- Not being ready to begin work at the start of the workday; not being ready to resume work immediately following the end of any break period; leaving before the end of the workday without a supervisor's or the store manager's permission.
- Neglect, carelessness, or mischief which results in, or could have resulted in, loss, damage, or destruction of store property, property of customers, or property of fellow employees.
- Excessive absenteeism or tardiness.
- Abuse of Company policies and break periods, and taking additional break time without prior permission.

## ***STANDARDS OF CONDUCT***

### **STANDARDS OF EMPLOYEE CONDUCT & CORRECTIVE ACTION (cont.)**

- Absence from work without notifying the Company or absence without an excuse acceptable to the Company, including unauthorized failure to return to work upon the expiration of an approved leave of absence.
- Unauthorized altering of any time or pay records, clocking-in or clocking-out another employee, or having one clocked-in or clocked-out by another employee.
- Sleeping or willful idleness on Company time.
- Failing to return to work on time after a scheduled break or lunch period.
- Inefficiency or poor work performance.
- Misuse or removal from the premises, without authorization, of any Company property, or possession of any property removed from Company premises without proper authorization.
- Handling or operating machines, tools or equipment which do not come within the employee's authority, or careless or negligent operation of Company tools or equipment.
- Insubordination (refusal to obey any order given by an employee's supervisor or management, or the refusal or failure to perform work assigned.)
- Fighting or any other disorderly conduct; do not use profane or abusive language that is insulting, uncivil, malicious or vicious during working time. Employees are responsible for communicating with appropriate business decorum during working hours toward customers and co-workers.
- Immoral or indecent conduct reflecting adversely on the Company.
- Altering Company records or documents without Company authorization.
- Altering, defacing or removing notices and bulletins without permission that are posted on the Company bulletin board.
- Providing false information on any employment application, personnel record or document.
- Dishonesty, cheating, theft, or misappropriation of property or money of the Company, customer, or any employee.
- Not permitting the Company to make an inspection of an employee's work area, garments, handbag, shopping bag, etc., on Company premises.
- Failing or refusing to cooperate fully in a workplace investigation.
- Providing false or misleading information in response to an investigation being conducted by the Company.
- Using the Company's equipment for personal use without management's authorization.
- Cashing personal checks.
- Smoking at any time outside restricted areas.
- Eating or drinking in a non-designated area.
- Littering on Company premises, or deliberately creating or contributing to unsanitary conditions.
- Giving false fire alarms or causing false fire alarms to be given, or tampering with protection equipment.
- Violating any of the Company's policies otherwise listed in this handbook, including but not limited to policies regarding Equal Employment Opportunity, harassment, discrimination, attendance and call-off procedure, personal appearance, no solicitation, and drug free workplace.

In each case, the appropriate disciplinary actions will be determined by any one or more of the following: seriousness of the offense; employee's overall employment record; and/or previous disciplinary actions.

## STANDARDS OF CONDUCT

### LOGISTICAL GUIDELINES

The following is an explanation of our standard business practices at this restaurant. We ask that you use your good judgment in all situations.

- Park only in areas designated by your management.
- Do not use tobacco or chew gum while working.
- Review the crew bulletin board regularly for information, request permission before posting any notices.
- Do not bring valuable personal belongings or large amounts of cash to work.
- Do not request to receive your paycheck early or to have a personal check cashed.
- Dating fellow crew employees is acceptable as long as it doesn't interfere with our restaurant operations.
- At closing time and after breakfast, all extra products will be thrown away. No leftover or waste product is to be consumed by employees or taken away from the store.
- Employees who have finished work are requested to leave the store as soon as possible, but cannot remain in the work areas for more than 15 minutes before or after their shift. Upon arrival, go to the crew room. Upon leaving, wait in the crew room if you must wait for a ride longer than two (2) minutes. No crew person is to wait in the lobby area while in uniform. The crew room is provided to allow you a place to relax during your break periods. It's the responsibility of the entire crew to make every effort to keep it clean.
- The first 60 days are a probationary period after which a manager will review your progress. If your performance is unsatisfactory, you can be terminated within this period. The disciplinary policy that exists after the probationary period for major policy or procedural violations is as follows.

### YOUR TO-DO LIST

- **Be On Time** – Arrive early enough for your shift so you will not be late. If you are not on time, other team members will have to cover for you.
- **Be Flexible** – Every day is different. Some days, we may need you to fill in for another crew member, or you may be trained on a station you have not worked before.
- **Be Polite** - Our goal is excellent customer services to our patrons.
- **Be Respectful** – Employees are responsible for communicating with appropriate business decorum during working hours toward customers and co-workers.
- **Be Responsible** - Every job is important. The better you do your job, the easier it is for the whole crew.

### YOUR TO-DO LIST (Cont.)

- **Be Clean and Neat** – The way you look tells people you care about yourself and about them.
- **Be Willing to Learn** – You will learn something important every day.

### OUR TO-DO LIST

- We answer all of your questions.
- We help you develop the skills you'll need to do your job.
- We help you when problems arise.
- We are flexible when scheduling your shifts.
- We treat you with dignity and respect.
- We make sure you have the tools and equipment to do your job.

## STANDARDS OF CONDUCT

### YOUR 60-DAY PROBATION PERIOD

In 60 days, your manager will meet with you to discuss how you are doing. This is an opportunity to talk about any issues or concerns that either you or we may have.

Here are some of the things we look for in the people we promote to management:

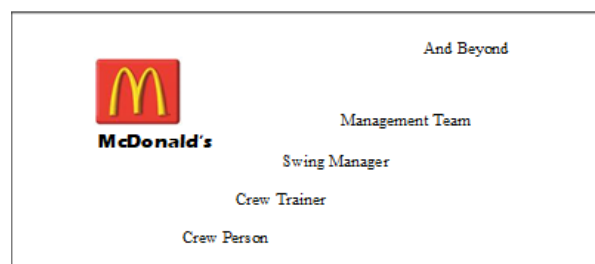
1. Do you strive to satisfy customers?
  - Do you smile and have a positive attitude?
  - Do you make customers feel welcome?
  - Are you friendly and polite?
  - Are you quick, helpful, and accurate in filling orders?
  - Are you calm, positive, and effective in handling customer complaints?
2. Do you take initiative?
  - Do you complete tasks before being asked by a manager?
  - Do you strive to learn and master skills?
  - Are you a good problem solver?
3. Do you communicate respectfully with coworkers?
4. Do you consistently uphold McDonald's standards?
  - Do you follow proper procedures, even when you are not supervised or when you are under pressure?
  - Do you help the crew to maintain standards?
  - Do you inform a manager when standards are not being met?
  - Do you report to work on time?
  - Do you appear neat, clean, and properly dressed?
  - Do you set a great example for others?

### CAREER OPPORTUNITIES

A little known fact is that most of McDonald's managers in our restaurants started as crew. And thousands more of today's top executives in companies across the U.S. also had their first work experience and developed valuable career skills in McDonald's restaurants.

If you show a flair for, and an interest in management and people supervision, you should begin thinking about long-term career opportunities at McDonald's. We encourage you to give some thought to your ambitions and career interest and talk them over with your restaurant manager. A typical career path could look like this:

### CAREER OPPORTUNITIES (Cont.)



## EMPLOYEE BENEFITS

**Employee Benefit Programs** Complete and official details of the group insurance programs are contained in materials which employees will receive separate from this handbook. The descriptions in this handbook are only brief summaries for employees' general information. Employees should contact the Company's benefits administrator for more details.

The existence of these employee benefit programs, in and of themselves, does not signify that an employee will be employed for the requisite time necessary to qualify for these benefits. The Company reserves the right to change or discontinue some or all of these benefits.

**Meal Policy** One of the best benefits of working for this McDonald's is the food. See a member of your management team regarding your meal policy.

**Your working hours** One of your greatest benefits at McDonald's is flexibility in work schedules. If you need time off, you must contact your store management team by the Sunday before the weekly work schedule is prepared for that request to be considered. Remember that a scheduled request is just that, a request. We cannot guarantee that your request will be granted, as we have to consider our staffing needs. When your schedule needs to be changed, let your store management team know as soon as you can. Remember, even in an emergency, you must contact your store management team for approval of time off.

## DIRECT DEPOSIT

McDonald's offers direct deposit for all employees. You will receive your pay in one of two manners: direct deposit at a financial institution or via a payroll card. The direct deposit is normally received by the financial institution on the morning of each payday.

### **To enroll in the Direct Deposit program or the Direct Deposit Pay Cards;**

- Get the Authorization form from your general manager (Direct Deposit Form). Complete the form & return to your general manager or send to Human Resources.
- **For Checking Account:** Complete the Checking Account info on the Direct Deposit Form, you will need to attach a voided check or a letter from your banking institution with your bank routing number and account number.
- **For Savings Account:** Complete the Saving Account info on the Direct Deposit Form and attach a letter from your banking institution with your bank routing number and account number.
- **If you want the Pay Card,** write on the Direct Deposit Form "Want Pay Card".
- If you change banks, your bank account number, or if you want to cancel your direct deposit: you will need to complete a new Direct Deposit Form indicating the change/deletion and give to your general manager to forward to Human Resources.

## HOLIDAYS

We are open 363 days a year. All stores close to celebrate Thanksgiving Day and Christmas Day.

## RECOGNITION

Our **Service Awards Program** recognizes your loyalty and dedication to McDonald's. You may receive an award for your Fifth, Tenth, Fifteenth, Twentieth, Twenty-fifth, Thirtieth and Thirty-fifth anniversaries of your consecutive service with our company.

## VACATION

McDonald's vacation plan allows you to take time off for travel, rest, relaxation or other leisure activities. Be sure to discuss and schedule your vacation time with your supervisor so there are no conflicts. Our policy is as follows:

## EMPLOYEE BENEFITS

### VACATION (Cont.)

- After one full year (Jan-Dec) of working full time, any employee (management and crew) may be given two (2) weeks of paid vacation.
- “Full-time” employees are salaried personnel as well as hourly individuals who are working in excess of 1,800 hours. That figure of 1,800 hours is determined by multiplying 50 weeks times 36 hours per week.
- After ten (10) years of consecutive full time employment, an additional week’s vacation may be given to full-time management employees.
- No more than two weeks of vacation may be taken during the summer period of June, July and August. It is mandatory with a third week of vacation that it is taken during the winter and with your supervisor’s approval. It is advisable that if there are specific date requested for a vacation, that a request be made as far in advance as possible to your supervisor.
- After twenty (20) years of continuous employment by salaried managers, an additional one-week vacation may be given.
- Head managers receive one (1) additional week of vacation, while supervisors receive two (2) additional weeks of vacation.
- Vacations must be taken as part of your employment. Vacation time may not be taken as compensation, nor will you be compensated for unused time at the termination of employment.
- Vacations are determined on the calendar year.
- No more than five (5) days may be carried over to the following year. If you have more than five (5) days at year’s end, five days will carry over with the remainder being lost.
- Vacation / Paid Time Off Request forms must be completed and sent to Office to process.

**A reminder that vacations are to be taken while you are employed.** You do not have the option of taking cash for unused vacation time at any termination of employment.

### WORKERS’ COMPENSATION

Through premiums paid in full by the Company, employees are covered under the Workers’ Compensation program. Workers’ compensation benefits may help pay for medical treatment and part of any income an employee may lose while recovering from a work-related injury or illness. All work-related accidents must be immediately reported to a supervisor to be covered under this program.

Whenever the Company reasonably suspects that an employee’s work performance or on-the-job behavior may have been affected in any way by alcohol or drugs, or that an employee may have contributed to a serious accident, the Company may require the employee to submit a urine and/or blood sample for alcohol and/or drug testing.

Workers’ compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law.

## CUSTOMER RELATIONS

### WHAT YOU CAN DO WHEN A CUSTOMER HAS A PROBLEM

- Listen attentively.
- Apologize.
- Fix the problem.

When someone is angry, they usually need some time to calm down before they can really pay attention to what you’re saying.

## ***CUSTOMER RELATIONS***

### **GET THE MANAGER WHEN:**

- There is an accident or injury on McDonald's property.
- The customer wants a refund, or they have accidentally been charged too much. A manager will need to authorize returning money to a customer.
- Someone from the media wants to ask you questions.
- Someone claims that they got sick from eating our food or they found a foreign substance in our food.
- Someone threatens you, makes you nervous, or treats you disrespectfully.
- Someone claims that they have a legal problem with your McDonald's.

### **WHEN CUSTOMERS ASK ABOUT NUTRITION**

Tell them where they can find information including a list of ingredients for everything on our menu.

- The nutritional brochure is available in the restaurant.
- Visit [www.mcdonalds.com](http://www.mcdonalds.com). The McDonald's website has it all.
- Call 1-800-244-6227. The number is on our cups and bags.

## ***McDONALD'S COMMITMENT***

Find out what our McDonald's organization is doing to protect the environment, support communities, help kids, and make a better world for people everywhere. You have a future at our McDonald's organization, and the skills you gain as a crew member will be valuable no matter what your future holds.

### **FOR COMMUNITIES**

Every year, McDonald's supports hundreds of organizations that do good things in communities around the world.

During the first annual World Children's Day held in November 2002, McDonald's restaurants in more than 100 countries raised more than \$12 million for Ronald McDonald House Charities and other children's causes.

McDonald's buys more than \$3 billion worth of food, equipment, supplies, and services from women- and minority- owned businesses. And McDonald's partners with many organizations right here in our own community.

Locally we have worked with dozens of organizations including:

- 4-H
- Salvation Army
- Ashtabula Library
- Conversation Station
- Crossroads
- Camp Whitewood
- And many others

### **THE ENVIRONMENT**

We believe we have a special responsibility to protect our environment for future generations. This responsibility comes from our unique relationship with millions of customers worldwide whose quality of life tomorrow will be affected by how we guard the environment today. We share their belief in their right to exist in an environment of clean air, clean earth, and clean water. We look at every part of our business to determine its

## McDONALD'S COMMITMENT

### THE ENVIRONMENT (cont.)

impact on the environment, and take action beyond what is expected if we feel those actions will help leave future generations an environmentally sound world.

Our environmental commitment and activities are guided by the following principles;

***Effectively Managing Solid Waste.*** We are committed to taking a “total lifecycle” approach to solid waste. We look at ways to reduce materials used in production and packaging, as well as diverting as much waste as possible from the solid waste stream. In doing so, we will follow three courses of action: reduce, reuse, and recycle.

***Reduce*** We will take steps to reduce the weight and/or volume of the packaging we use. This may mean eliminating packaging, adopting thinner and lighter packaging, changing manufacturing and distribution systems, adopting new technologies, or using alternative materials. We will continue to search for materials that are environmentally preferable.

***Reuse*** We will implement reusable materials whenever feasible within our operations and distributions systems as long as they do not compromise our safety and sanitation standards, customer expectations, nor are offset by other environmental or safety concerns.

***Recycle*** We are committed to the maximum use of recycled materials in constructing, equipping, and operating our restaurants. We are already the largest user of recycled paper in our industry, applying it to tray liners, napkins, Happy Meal boxes, carry out bags and carry out trays. Through the “McRecycle USA” program, McDonald’s maintains the industry’s largest collection of information on recycling suppliers, and we will spend a minimum of \$100 million a year on the use of recycled materials of all kinds. We are also committed to recycling

and/or composting as much of our solid waste as possible, including such materials as corrugated paper, polyethylene film, and paper.

***Conserving and Protecting Natural Resources.*** We will continue to take aggressive measures to minimize energy and other resource consumption through increased efficiency and conservation. We will not permit the destruction of rain forests for our beef supply. This policy is strictly enforced and closely monitored.

***Encouraging Environmental Values and Practices.*** We believe we have an obligation to promote sound environmental practices and to provide educational materials in our restaurants and in our communities’ schools.

Finally, we are committed to timely, honest, and forthright communications with our customers and employees regarding all of our environmental policies. We will continue to seek the counsel of experts in the environmental field. By maintaining a productive, ongoing dialogue, we will learn from them and move closer to doing all we can to preserve the environment.

### TO KIDS

Every year Ronald McDonald House Charities (RMHC) donates millions of dollars to organizations in local communities that work to improve the health and lives of children.

Maybe you’ve heard of Ronald McDonald House Charities (RMHC). McDonald’s is one of the largest supporters of RMHC worldwide. And lots of McDonald’s crew members volunteer their time to help out.

The Ronald McDonald House program is the cornerstone of RMHC. It is a “home away from home” for families while their children are undergoing treatment in hospitals far from home.



## **McDONALD'S COMMITMENT**

### **TO KIDS (Cont.)**

There are more than 200 Ronald McDonald Houses around the world. Every year, more than 100,000 families stay at a Ronald McDonald House. The first Ronald McDonald House opened 30 years ago. Since then, Houses operate in more than 20 countries.

Other support for kids includes:

- The Ronald McDonald Care Mobile program brings cost effective medical and dental care to children who need it.
- RMHC Scholarships provide millions of dollars each year to high school graduates.

### **McDONALD'S AND WORKING STUDENTS**

Education and school work are the top priorities of our school age employees and to make sure that their job experience complements, rather than detracts from, their education.

We subscribe to the following principles in our restaurants:

- Education is a significant priority. There is no question that, between education and employment, education comes first.
- To make sure that education comes first, McDonald's provides flexible working hours to accommodate classes, homework assignments, and extracurricular activities.
- Grades and school attendance should never be compromised by excessive or late working hours.
- McDonald's provides training, skills development, and a work experience which teaches the importance of responsibility, self-discipline and superior achievements.
- McDonald's complies with all laws concerning the employment of minors and continues to commit to policies which go beyond local requirements.
- We take a leadership role in working with parents, educators, and students on education issues.

### **McDONALD'S ARCHWAYS TO OPPORTUNITY**

**W**e believe...the best people, with the brightest futures, work right here! Wherever you are on your education journey, Archways may just have a program for you! Such programs may include:

- Free English as a second language
- Free online high school diploma
- Tuition assistance for college
- Advising

The website has all the information you need – including eligibility – to get started and learn more, please visit [www.archwaystoopportunity.com](http://www.archwaystoopportunity.com).

### **NUTRITION**

**S**ince McDonald's opened its first restaurant in 1955, the company has always responded to the changing needs and tastes of our customers. We should all feel proud of the food we serve and be aware of the significant gains we continue to make in the nutrition area.

It's important to understand and to share with your customers that McDonald's food can fit into any well-balanced diet. The key word is balance, and it has led to many of our menu additions, such as salads, and all-vegetable frying oil. We are the first company in our industry to make this information available to our customers.

McDonald's is committed to developing new menu items to offer our customers the taste and nutritional variety they want.

## ***VIDEO SURVEILLANCE***

In order to address safety and security concerns, the Company has installed video-only surveillance cameras. If there is any reported incident of theft, trespass, workplace violence, employee misconduct, workplace injury, or any type of safety violation (hereafter collectively referred to as “security incidents”), the Company will utilize its surveillance equipment as an investigatory tool. The Company will also make use of its surveillance equipment to deter any future security incidents.

The Company reserves the right to actively monitor, through its surveillance cameras, any areas for safety reasons (to protect against failure, breakage, or accident) or confidentiality reasons (to protect documents or other proprietary information). Although the video surveillance policy is intended to monitor for security incidents and other safety reasons at the Company, it is possible that such surveillance may monitor activities not related to the Company’s business.

While employees have no expectation of privacy in any of the areas under video surveillance, the Company respects the privacy of its employees. Accordingly, there will be no video cameras installed in the Company’s restrooms.

The video surveillance cameras and any images obtained from the surveillance are to be used solely for the purposes of this video surveillance policy. Any unauthorized use of these video cameras and/or images is strictly forbidden and may result in discipline, up to and including termination of employment.

## **ACCOMMODATIONS TO HANDBOOK POLICIES**

If you believe you need an accommodation to any of these policies based on your disability, religion, gender identity, or any other protected class, please contact the restaurant Owner or Human Resource professional at (440) 350-0080.

## **EMPLOYEE RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT**

Nothing in this Handbook is intended to restrict or otherwise prevent employees from engaging in the rights afforded to them under Section 7 of the National Labor Relations Act, including the discussion of wages, hours, and other terms and conditions of employment.

## **RESTAURANT WORKPLACE VIOLENCE PREVENTION POLICY**

The Restaurant Workplace Violence Prevention Policy is available on the portal, or posted in the Break Room, or please call Human Resources (440) 350-0080 for a paper copy.

## **CONCLUSION**

Many Company policies and employee benefits have been treated only briefly in this handbook. If you have any questions or want more information, your General Manager or Area Supervisor will be glad to fill in the details for you, and will also be happy to help you get answers to any question you have regarding the Company's policies.

## **CONFIRMATION OF RECEIPT OF EMPLOYEE HANDBOOK**

I have received my copy of the Company's Employee Handbook. I understand and agree that it is my responsibility to read and familiarize myself with the policies and procedures contained in the handbook and to follow those policies and procedures at all times.

I understand and agree that nothing in the employee handbook creates a promise or representation of continued employment and that employment at the Company is employment at-will; employment may be terminated at the will of either the Company or myself. My signature certifies that I understand that the foregoing agreement regarding my at-will status is the sole and entire agreement between the Company and myself concerning the duration of my employment and the circumstances under which my employment may be terminated. It supersedes all agreements, understandings, and representations concerning my employment with the Company.

I understand that except for my at-will status, any and all policies can be changed at any time by the Company. The Company reserves the right to change my hours, wages, and working conditions at any time. I understand and agree that other than the owner-operator of The Company, no manager, supervisor, or representative of the Company has authority to enter into any agreement, express or implied, for employment for any specific period of time, or to make any agreement for employment other than at-will; only the owner-operator has the authority to make any such agreement and then only in writing, signed by the owner-operator.

Employee's Signature \_\_\_\_\_

Employee's Printed Name \_\_\_\_\_

Date \_\_\_\_\_