



# Welcome To Our Team

## Employee Handbook

*Emerald Cascade Restaurant Systems, Inc.*

*Rojo Caliente Restaurantes, Inc.*

*Sierra Monterey Restaurants, Inc.*

*Bladow Nevada, LLC*

*Bladow Properties*

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# NOTE FROM ADAM GONZALES CHIEF OPERATING OFFICER

We welcome you to Jack in the Box and Qdoba. We look forward to the opportunity to work with you and want you to know that we recognize our employees as our most valuable resource. Our continued success in providing the highest quality of food, beverages and service to our guests depends on having quality people like yourself and your fellow employees. We want you to enjoy your time here and are committed to helping you succeed in your new job.

We have prepared this handbook to answer some of the questions that you may have concerning Jack in the Box and Qdoba and their policies. This handbook is intended solely as a guide. Read it thoroughly. If you have questions about anything, contact your manager, district manager or human resources manager for assistance.

We hope you find your time with us to be an enjoyable and rewarding experience.

Once again, welcome!

Sincerely,



Adam Gonzales  
Chief Operating Officer



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### **Purpose of this Handbook**

This handbook has been prepared to inform new employees of the policies and procedures of *Emerald Cascade Restaurant Systems, Inc., Rojo Caliente Restaurantes, Inc., Sierra Monterey Restaurant Systems, Inc., Bladow Nevada, and Bladow Properties* (herein referred to as *Company*) and to establish the *Company's* expectations. It is not all-inclusive or intended to provide strict interpretations of our policies; rather, it offers an overview of the work environment. This handbook is not a contract, expressed or implied, guaranteeing employment for any length of time and is not intended to induce an employee to accept employment with the *Company*.

*Company* reserves the right to unilaterally revise, suspend, revoke, terminate or change any of its policies, in whole or in part, whether described within this handbook or elsewhere, in its sole discretion. If any discrepancy between this handbook and current *Company* policy arises, conform to current *Company* policy. Every effort will be made to keep you informed of the *Company* policies, however we cannot guarantee that notice of revisions will be provided. Feel free to ask questions about any of the information within this handbook.

This handbook supersedes any and all personnel policies and manuals previously distributed, made available or applicable to employees.

### **At-Will Employment**

Employment at *Company* is at-will. An at-will employment relationship can be terminated at any time, with or without reason or notice by either the employer or the employee. This at-will employment relationship exists regardless of any statements by office personnel to the contrary. The *Company* is authorized to modify the at-will nature of the employment relationship, and the modification must be in writing.

### **Employment Policy**

It is *Company's* policy to hire only individuals legally eligible to work in this country. As required by law, employees will be required to provide original documents that establish this authorization within three days of their day of hire. If the documents are not provided within the three day period, we have no choice, under the law, but to terminate the employee until the appropriate documents are provided. Employees and employers are both required to complete a form furnished by the Department of Labor, form I-9. In Section 1 of form I-9, the information provided by the employee must be valid and authentic. If at any time during an employee's employment, it is discovered that any document used was invalid or not authentic, the employee must, by law, be immediately terminated.

### **Proprietary & Confidential Information**

It is illegal to steal, copy or communicate or transmit a former employer's confidential or proprietary information. Proprietary information is defined as "the whole or any part of any scientific or technical information, design, process, procedure, formula, or improvement that has value and that the owner has taken measure to prevent from becoming available to persons other than those selected by the owner to have access for limited purposes." Our internal business practices, procedures and recipes are of great value to *Company*. Employees are not to disclose any proprietary processes or recipes to any person. *Company* will institute civil action against anyone who violates this policy.

### **Solicitation**

Employees – There should be no solicitation or distribution of literature of any kind by any employee during actual working time. Working times does not include rest breaks or meal period. Any employee who violates any part of this policy will be subject to counseling and disciplinary action up to and including dismissal.

Non-Employees – Non-employees are prohibited from soliciting and distributing literature at all times anywhere on *Company* property. Non-employees have no right of access to any area of the premises other than areas open to the public, and then only in conjunction with the area's public use.

### **Equal Opportunity Employment**

*Company* is an equal opportunity employer and does not unlawfully discriminate against employees or applicants for employment on the basis of an individual's race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. This policy applies to all terms, conditions and privileges of employment, including recruitment, hiring, placement, compensation, promotion, discipline and termination.

### **The Americans with Disabilities Act**

In accordance with the American with Disabilities Act (ADA) *Company* does not discriminate against qualified individuals with disabilities in regard to recruitment, hiring, compensation, benefits, promotions, training and education, social programs, layoffs, and other terms, conditions, or privileges of employment. *Company* will provide reasonable accommodations to the known physical or mental limitations of a qualified applicant or associate with a disability unless the accommodation imposes an undue hardship for the *Company*.

### **Non-Harassment Policy / Non-Discrimination Policy**

*Company* prohibits discrimination or harassment based on race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and is free from discriminatory practices, including without limitation harassment. Consistent with its workplace policy of equal employment opportunity, the *Company* prohibits and will not tolerate harassment on the basis of race, color, religion, creed, sex, national origin, age, disability, marital status, veteran status or any other status protected by applicable law. Violations of this policy will not be tolerated.

Discrimination includes, but is not limited to: making any employment decision or employment related action on the basis of race, color, religion, creed, age, sex, disability, national origin, marital or veteran status, or any other status protected by applicable law.

Harassment is generally defined as unwelcome verbal or non-verbal conduct, based upon a person's protected characteristic, that denigrates or shows hostility or aversion toward the person because of the characteristic, and which affects the person's employment opportunities or benefits, has the purpose or effect of unreasonably interfering with the person's work performance, or has the purpose or effect of creating an intimidating, hostile or offensive working environment. Harassing conduct includes, but is not limited to: epithets; slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on their protected characteristic.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature, when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Examples of sexual harassment include: unwelcome or unsolicited sexual advances; displaying sexually suggestive material; unwelcome sexual flirtations, advances or propositions; suggestive comments; verbal abuse of a sexual nature; sexually oriented jokes; crude or vulgar language or gestures; graphic or verbal commentaries about an individual's body; display or distribution of obscene materials; physical contact such as patting, pinching or brushing against someone's body; or physical assault of a sexual nature.

**Reporting:** Any *Company* employee who feels that he or she has been harassed or discriminated against, or has witnessed or become aware of discrimination or harassment in violation of these policies, should bring the matter to the immediate attention of his or her supervisor or human resources manager. *Company* will promptly investigate all allegations of discrimination and harassment, and take action as appropriate based on the outcome of the investigation. An investigation and its results will be treated as confidential to the extent feasible, and *Company* will take appropriate action based on the outcome of the investigation. No employee will be retaliated against for making a complaint in good faith regarding a violation of these policies, or for participating in good faith in an investigation pursuant to these policies. If an employee feels he/she has been retaliated against, the employee should file a complaint using the procedures set forth above.

### **Drug-Free / Alcohol-Free Environment**

Employees are prohibited from unlawfully consuming, distributing, possessing, selling, or using controlled substances while on duty. In addition, employees may not be under the influence of any controlled substance, such as drugs or alcohol, while at work, on *Company* premises or engaged in *Company* business. Prescription drugs or over-the-counter medications, taken as prescribed, are an exception to this policy. Anyone violating this policy may be subject to disciplinary action, up to and including termination.

### **Open Door Policy**

*Company* has an open door policy and takes employee concerns and problems seriously. *Company* values each employee and strives to provide a positive work experience. Employees are encouraged to bring workplace concerns or problems they might have or know about to their supervisor, district manager or human resources manager.

## **EMPLOYMENT CLASSIFICATION**

This *Company* assigns positions, determines wages and compensates employees for overtime in accordance with state and local laws and the Fair Labor Standards Act.

### **Exempt Employees**

Exempt employees are those that are excluded from the overtime pay requirements of the Fair Labor Standards Act. Exempt employees are paid a salary and are expected to work beyond their normal work hours whenever necessary to accomplish the work of the *Company*. Exempt employees are not eligible to receive overtime compensation. Employees should consult with an administrator if they have questions regarding their classification as an exempt employee. The Fair Labor Standards Act provides narrow provisions for who qualifies for exempt employee status.

### **Non-Exempt Employees**

Non-exempt employees are those eligible for overtime pay of 1.5 times the regular hourly rate of pay as required by state regulations. All overtime must be approved in advance. Employees should consult with human resources manager if they have questions regarding their classification as a non-exempt employee.

### **Part Time, Full Time or Temporary Status**

Part-time or full-time status depends on the number of hours per week an employee works. Regular employees who work fewer than 30 hours receive part-time classification. Part-time employees are not eligible for employee benefits as described in this handbook. Regular employees who work at least 40 hours receive full-time classification.

From time to time the *Company* may hire employees for specific projects or periods of time. Temporary employees may work either part-time or full-time, but generally are scheduled to terminate by a certain date. Temporary employees who remain on duty past the scheduled termination remain classified as temporary. Temporary employees are not eligible for employment benefits.

## **COMPANY POLICIES & PROCEDURES**

### **Code of Professional Conduct**

*Company* expects its employees to adhere to a standard of professional conduct and integrity. This ensures that the work environment is safe, comfortable and productive. Employees should be respectful, courteous, and mindful of others' feelings and needs. General cooperation between coworkers and supervisors is expected. Individuals who act in an unprofessional manner may be subject to disciplinary action.

### **Company Property**

*Company* property, such as equipment, vehicles, telephones, computers, and software, is not for private use. These devices are to be used strictly for *Company* business, and are not permitted off grounds unless authorized. *Company* property must be used in the manner for which it was intended. Upon termination, employees are required to surrender any *Company* property they possess.

*Company* computers, internet and emails are a privileged resource, and must be used only to complete essential job-related functions. Employees are not permitted to download any "pirated" software, files or programs and are not allowed to install any new software on a *Company* computer. Files or programs stored on *Company* computers may not be copied for personal use.

## **COMPANY POLICIES & PROCEDURES (CONT.)**

Phones are provided for business use. The *Company* requests that employees not receive personal calls while on duty. If urgent, please keep personal calls to a minimum and conversations brief. Personal long distance calls are not permitted. Employees are reminded that they should have no expectation of privacy in their use of *Company* computers or other electronic equipment. Violations of these policies could result in disciplinary action.

### **Back Door Policy**

The back door is not to be used by employees arriving to or leaving from work. The back door is not to be opened after dark except for authorized deliveries. The back door alarm must always be armed. Keys for the alarm should be in the possession of the person in charge and not left in the alarm arm/disarm switch.

### **Dress Code**

An employee's personal appearance and hygiene is a reflection on the *Company* character. Employees are expected to dress appropriately for their individual work responsibilities and position.

### Slip Resistant Shoes

In order for you to be safe on the restaurant floor, you are required to provide your own slip resistant shoes. The shoes may be ordered from "Shoes for Crews" through the Payroll Deduction plan. Wearing slip resistant shoes is a condition of employment and must be purchased as soon as possible after hired. The restaurant will provide Shoes for Crews Slip Covers until your shoes arrive within 7-10 days of ordering.

### Appearance Standards

- Uniforms cannot be altered in any way.
- *Company* will supply employees with one branded shirt and will be tucked in at all times. Black Dickie's or Docker style pants must be worn and with the proper fit. Jeans, stretch pants or capris are not permitted. If pants have belt loops, belts are required and must be solid black.
- At all times employees must start their shift in a clean, crisp and well-maintained uniform. All garments must be free of frays, holes or blemishes.
- During cold weather, specific *Company* sweaters and or jackets may be worn.
- Name tag should be worn on the left side of shirt and should be clean and easy to read. (Jack in the Box only)
- While working in the drive-thru during cold weather, fingerless gloves may be worn. A management approved jacket will be kept at the restaurant for drive-thru use.
- Tattoos must be covered and should not be visible on any exposed area.
- Jewelry, including watches, bracelets and rings, is not to be worn. A plain band is permitted. Necklaces and chains may be worn inside uniform so as not to be visible. Only one pair of earrings shall be worn at a time; in the ear lobe, one in each ear. Gauge, hanging and clip-on earrings are not permitted. Body piercings of any kind, other than in the ear lobes, are prohibited.
- Fingernails must be no longer than the ends of the fingers, and must be clean, smooth, not artificial, and not polished. Gloves must be worn at all times if any of the above conditions are not met.
- Heavily scented powder, perfume or cologne may not be worn. Heavy make-up is not permitted.
- Chewing gum and tobacco use are prohibited. (See Tobacco Free Policy.)
- Hair must be clean and neat. Hair must be kept away from the face. Long hair must be tied back and pulled up to above the collar. Hair color shall be kept to natural colors only. The only article to be worn on the head is an approved hat or visor. Bills on caps must be facing forward at all times. Men's mustaches and side burns must be trimmed and well groomed. Corners of the mustache may not extend below the top lip. Goatees and beards are not permitted. The face should be clean shaven with no 5 o'clock shadow.
- Hands and fingernails must be clean at all times. Wash and sanitize your hands before returning to work after using the restroom (wash your hands in the restroom and again upon returning to the kitchen), coming off break, handling money or after any cleaning duty. Gloves are mandatory during food preparation.
- Employees are expected to maintain the highest personal hygiene standards. Daily bathing, use of reliable deodorant and proper dental hygiene are essential for our team members.

Guest service is essential to your job. All guests should be treated with respect and courtesy, even if a guest does not treat you this way. If a guest becomes abusive in language or becomes physical – walk away and get your manager. The restaurant's kitchen is open and guests may observe you from many different angles. Always remember, voices carry. Guest service is essential in all areas of the restaurant.

Nobody enjoys being the recipient of guest complaints, but complaints are to be expected as part of being in the hospitality business. Complaints can even be viewed in a positive light if they are handled properly. Complaints can give us insights as to how to make our restaurant better, demanding guests force us to our best and resolving complaints satisfactorily can even increase customer loyalty IF they are handled properly.

When faced with a guest complaint:

1. Don't get defensive and try to explain.
2. Remove the offending item immediately.
3. Apologize for the problem and tell the guest we will take care of the problem.
4. If you need the assistance of a manager, don't hesitate to ask.

Do everything you can to let the guest know you care and that this isn't the kind of experience you want them to have at our restaurant. Remember to simply use your best manners. PLEASE, THANK YOU and a WARM SMILE can turn a potentially complicated guest into a happily returning guest.

### **Family/Cohabitant Policy**

*Company* does not allow for immediate family members or anyone who lives in the same house to work in the same restaurant unless both parties are crew members. If one of the crew members is promoted to management, one of the family members/co-habitants must transfer to another restaurant or terminate employment. The decision of who is transferred will ultimately be the decision of the restaurant manager and district manager based on restaurant needs.

### **Fraternization**

Dating between management and crew members is strictly prohibited. Social relationships between management and subordinates are discouraged. Such relationships may cause a perception of favoritism. Discipline up to and including termination may occur if social relationships interfere with work conditions or environment.

### **Parking**

Parking around the restaurants is limited and therefore employees must park only in designated parking areas. The 'prime' parking locations are reserved for our guests at all times. Please ask your manager for the designated area.

### **Personnel Files**

The *Company* maintains a personnel file on each employee. These files are kept confidential to the extent possible. Employees may review their personnel file upon request. It is important that personnel files accurately reflect each employee's personal information. Employees are expected to inform the *Company* of any change in name, address, home phone number, home address, marital status, number of dependents or emergency contact information.

### **Personal Property**

Please do not bring valuables to work. Purses and other valuables that must be brought to work should be placed in the employee's locker or left in their vehicle. Cell phones are prohibited from being used by any employee when on duty in the restaurant. We do not assume any responsibility for your personal property at the restaurant either inside or outside the building, including your automobile.

### **Privacy**

Employees and employers share a relationship based on trust and mutual respect. However, *Company* retains the right to access all *Company* property including computers, desks, file cabinets, storage facilities, and files and folders, electronic or otherwise, at any time. Employees should not entertain any expectations of privacy when on *Company* grounds or while using *Company* property. All documents, files, voice-mails and electronic information, including e-mails and other communications, created, received or maintained on or through *Company* property are the property of the *Company*, not the employee. Therefore employees should have no expectation of privacy over those files or documents.

## **COMPANY POLICIES & PROCEDURES (CONT.)**

### **Social Media Websites**

While *Company* encourages its employees to enjoy and make good use of their off-duty time, certain activities on the part of employees may become a problem if they have the effect of impairing the work of any employee; harassing, demeaning, or creating a hostile working environment for any employee; disrupting the smooth and orderly flow of work within the *Company*; directly or indirectly disclosing confidential or proprietary information; or harming the goodwill and reputation of *Company* among its guests or in the community at large. In the area of social media (print, broadcast, digital, and online), employees may use such media in any way they choose as long as such use does not produce the adverse consequences noted above. For this reason, *Company* reminds its employees that the following guidelines apply in their use of social media, both on and off duty:

1. If an employee publishes any personal information about themselves, another employee of *Company*, a client, or a customer in any public medium (print, broadcast, digital, or online) that:
  - a. has the potential or effect of involving the employee, their co-workers, or *COMPANY* in any kind of dispute or conflict with other employees or their parties;
  - b. interferes with the work of any employee;
  - c. creates a harassing, demeaning, or hostile working environment for any employee;
  - d. disrupts the smooth and orderly flow of work within the office, or the delivery of services to the *Company's* clients or guests;
  - e. harms the goodwill and reputation of *Company* among its guests or in the community at large:
    1. tends to place in doubt the reliability, trustworthiness, or sound judgment of the person who is the subject of the information; or
    2. reveals proprietary information or *Company* trade secrets;
    3. the employee(s) responsible for such problems will be subject to counseling and/or disciplinary action, up to and potentially including termination of employment, depending upon the circumstances.
2. No employee of *Company* may use *Company* equipment or facilities for furtherance of non-work-related activities or relationships.
3. Employees who conduct themselves in such a way that their actions and relationships with each other could become the object of gossip among others in the workplace, or cause unfavorable publicity for *Company* in the community, should be concerned that their conduct may be inconsistent with one or more of the above guidelines. In such a situation, the employees involved should request guidance from the human resources department to discuss the possibility of a resolution that would avoid such problems. Depending upon the circumstances, failure to seek such guidance may be considered evidence of intent to conceal a violation of the policy and to hinder an investigation into the matter.
4. Should you decide to create a personal blog, be sure to provide a clear disclaimer that the views expressed in the blog are the author's alone, and do not represent the views of *Company*.
5. All information published on any employee blog(s) should comply with *Company's* confidentiality and disclosure of proprietary data policies. This also applies to comments posted on other social networking sites, blogs and forums.
6. Be respectful to *Company*, co-workers, guests, clients, partners and competitors, and be mindful of your physical safety when posting information about yourself or others on any forum. Describing intimate details of your personal and social life, or providing information about your detailed comings and goings might be interpreted as an invitation for further communication – or even stalking and harassment that could prove dangerous to your physical safety.
7. Social media activities should never interfere with work commitments.
8. Your online presence can reflect on *Company*. Be aware that your comments, posts, or actions captured via digital or film images can affect the image of *Company*.
9. Do not discuss *Company* clients, guests, employees, or partners without their express consent to do so.
10. Do not ignore copyright laws, and cite or reference sources accurately. Remember that the prohibition against plagiarism applies online.
11. Do not use any *Company* logos or trademarks without written consent. The absence of explicit reference to a particular site does not limit the extent of the application of this policy. If no policy or guideline exists, *Company* employee should use their professional judgment and follow the most prudent course of action. If you are uncertain, consult your manager before proceeding.

#### **Telephone Courtesy**

It is everyone's responsibility to answer the phone. Always answer the phone promptly, within three rings. Always answer in a friendly, polite manner: "Good (morning, afternoon, evening), *Company*, may I help you? Respond to any questions that you are absolutely certain. If you are uncertain, ask the person if you may put them on hold for a moment and quickly refer the call to a manager. Always thank the person for calling. Always ask the caller for their name when they ask to speak to a manager.

### **COMPANY POLICIES & PROCEDURES (CONT.)**

#### **Tobacco Free Policy**

The use of tobacco is not allowed by any employee while working and is not permitted on *Company* premises while in uniform. Employees must cover or remove their uniform and name tag when smoking in designated area; i.e. outside dining area and non *Company* premises. Smoking is prohibited in the dumpster areas.

#### **Use of Personal Vehicles for Company Business**

Any employee who has been requested to use their personal vehicle for *Company* business must first complete an 'Authorized Drivers Form for Farmer's Insurance' and submit to human resources. Some examples of *Company* use include delivering, picking up equipment, paperwork, etc from the Support Center; making bank deposits, or catering delivery. Employees must be complete and submit to their manager a Request for Reimbursement form to request mileage reimbursement.

#### **Visitors in Dining Area and Work Area**

Visitors are not permitted in the work area at any time or in the dining room after closing. Violation of this policy may lead to immediate termination. All non-restaurant personnel entering the restaurant must show identification. No one is allowed behind the counter unless proper identification is shown and the person in charge authorizes entry.

#### **Cellular Phone Use**

*Company* has adopted the following cellular phone use policy. This usage applies to any personally owned device capable of placing or receiving phone calls, messages, text or video messages, or with access to the internet or email.

##### Cell Phone Use for Business While Driving is Prohibited

*Company* is aware that some employees use their cell phones for business purposes while driving in their personal or *Company* vehicle. It is the opinion of *Company* that cell phone use while driving is dangerous, therefore, the *Company* prohibits employee use of any cellular phone, either hands on or hands free, for business purposes related in any way to our *Company*, while driving. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email, checking for phone messages, or any other purpose related to your employment; the business; our guests; our vendors; volunteer activities, meetings, or civic responsibilities performed for or attended in the name of the *Company*; or any other *Company* or personally related activities not named here while driving. When use of a cell phone is necessary, the employee shall park the vehicle in a manner consistent with traffic safety standards before placing or answering calls.

##### Cell Phones in the Restaurant - Management

*Company* is aware that certain management level employees utilize their personal or *Company*-supplied cellular phones for business purposes. At the same time, cell phones can be a distraction in the restaurant. To ensure the effectiveness of day-to-day management tasks such as directing employees, guest interaction, staff meetings and other job-related activities, management employees are asked to leave cell phones in the office unless otherwise permitted in this policy. Or, on the unusual occasion of an emergency or anticipated emergency that requires immediate attention, the cell phone may be carried in the restaurant as long as it is on vibrate mode. The office is the preferred location for cellular phone use. Other acceptable areas are food, beverage and supply storage areas if necessary when placing vendor orders, or, outside the restaurant. Use of cell phones is prohibited in the dining room or any place that is in view of the guest. The recognized management level job positions for which the business use of cell phones is permitted for *Company* are as follows: restaurant manager, assistant manager, district managers.

##### Cell Phones in the Restaurant - Staff

Non-management level employees are prohibited from cell phone use while at work. This prohibition includes receiving or placing calls, text messaging, surfing the Internet, receiving or responding to email or checking for phone messages. Cell phones are to be turned off upon arriving at the workplace unless otherwise permitted elsewhere in this policy. The recognized staff level job positions for which cell phone usage is prohibited for *Company* are as follows: crew members and team leaders. *Company* recognizes the fact many of their employees use a cell phone as a means for emergency notification by family, schools, hospitals and other persons or organizations for which emergency contact is necessary. Limited emergency use of cell phones is permitted under the following conditions:

1. Employees must obtain permission from management prior to use,
2. Cell phones must be in vibrate-only mode,
3. Cell phones must be left in the office or employee locker unless otherwise permitted by management.

##### Violation of Policy is Cause for Disciplinary Action

Employees who violate this policy will be subject to disciplinary actions, up to and including employment termination.

## **PAYMENT PROCEDURES**

### **Payroll Checks**

Paychecks are distributed on the 10th and 25th of every month at the employee's restaurant. If the pay date lands on a holiday, paychecks will be distributed on the closest business day before the holiday. If the pay date lands on a Saturday or Sunday, checks will be dated and handed out on Monday. Employees are discouraged from picking up their checks during peak meal periods in order to not interrupt servicing our valuable guests. The first pay period runs from the 1<sup>st</sup> to the 15<sup>th</sup> of the month. The second pay period runs from the 16<sup>th</sup> through the last day of the month.

Your paycheck will indicate your gross earnings as well as deductions for federal and state withholding taxes and social security and Medicare taxes. Federal and state withholding taxes are authorized by you based on the information you furnished to us on form W-4. If you want an explanation of your deductions or if you wish to change them in any way please see your manager. Elected deductions are deductions authorized by the employee, and may include, for example, Shoes for Crews and uniform deductions. As per state law, the restaurant complies with court orders in connection to garnishments from employee paychecks as directed by the proper authorities. You will be notified of any court-ordered payroll deductions.

#### **Lost Paychecks**

Report lost paychecks to your manager. We will stop payment on the lost check and reissue another check on the next payroll cycle. The reissued check will incur a deduction equal to the bank stop payment charge.

#### **Change of Address**

Any change in name, address, telephone number, marital status or number of exemptions claimed by an employee must be reported to manager and the payroll manager.

### **ATTENDANCE POLICIES**

#### **General Attendance**

*Company* maintains various working hours depending on the restaurant location. Hours may vary depending on work location and job responsibilities. Managers will provide employees with their work schedule. Should an employee have any questions regarding his/her work schedule, the employee should contact the supervisor.

*Company* does not tolerate absenteeism without excuse. Employees who will be late to or absent from work should notify a supervisor in advance, or as soon as practicable in the event of an emergency. Chronic absenteeism may result in disciplinary action. Employees who need to leave early, for illness or otherwise, should inform a supervisor before departure. Unauthorized departures may result in disciplinary action. You are expected to maintain predictable and reliable attendance.

#### **Schedule**

Schedules are prepared to meet the work demands of the restaurant. As the work demands change, management reserves the right to adjust working hours and shifts. Schedules are posted weekly; your supervisor will advise you when and where the schedule will be posted. Each employee is responsible for working their shifts. You should arrive for your shift with enough time to make sure you're ready to work when your shift begins. We suggest that you arrive 10 to 15 minutes before your shift begins so that you have time to get settled and ready for your shift. You should clock in when your shift begins and be ready to start work immediately. Employees must enter and exit through the front door during business hours – not the back door.

Schedule changes may be allowed only if you find a replacement and get a manager's approval. To be valid, the manager must indicate and initial the change on the posted schedule. The restaurant usually requires high levels of staff on or around holidays, sporting and other special events. We understand that you have a life outside of the restaurant and will always try to find a way to work with you on your schedule requests. We do, however, ask you to remember just how crucial each position is to the proper functioning of the restaurant. Please remember that even though we will try to comply with your requests, there is no assurance that you will get the requested time off. All requests for days off must be made according to the procedure set by your particular supervisor. While your supervisor will do their best to honor your request, it is not guaranteed. Any schedule changes must be approved by the restaurant supervisor. You must keep the supervisor and scheduling manager updated on your availability. If your availability changes; your total hours may change as well. There is no guarantee of the number of hours or a particular schedule. These items are based on business trends, availability and job performance.

### **ATTENDANCE POLICIES (CONT.)**

#### **Tardiness**

Employees are expected to arrive on time and ready for work. An employee who arrives after their scheduled arrival time is considered tardy. Tardiness of five minutes or more will result in a written reprimand. *Company* recognizes situations may arise that could hinder punctuality; regardless, excessive tardiness is prohibited, and may be subject to disciplinary action. If you are unable to work your scheduled shift you must call the manager on duty at the restaurant at least two hours before your scheduled work shift. A family member or a friend shall not make the call for you. Texting is not acceptable. You should give the manager the reason and probable duration of your absence. Providing false or misleading information regarding your tardiness or absence will lead to discipline up to and including termination. If you do not call within the two hour time frame, it will lead to discipline. Mandatory restaurant meetings are considered a scheduled shift and are subject to the same call-off policy.

If you fail to show up for a scheduled shift and do not call, your employment is considered voluntarily terminated. If you call after your shift has ended, discipline up to and including termination may occur depending on the reason for the missed shift. You are responsible for knowing your schedule and any changes that may have occurred; therefore not knowing you were scheduled is an unacceptable excuse.

*Exception: Opening shift. If you become ill the night before you are scheduled to work an opening shift, call the restaurant immediately to advise the manager on duty. If the restaurant is closed, please call as soon as possible in the morning to allow the opening manager as much time as possible to replace you.*

If you will be out ill for three consecutive days or longer you will be required to produce a written doctor's excuse upon your return to work stating that you are cleared to work. Providing a doctor's excuse for missed work does not guarantee the absence will not be subject to discipline up to and including termination. Each employee and the reason for absence are considered with fairness and past performance in mind.

If you are going to be late for your scheduled work, you must call the restaurant as soon as possible to advise them. However, you may still be disciplined for the late arrival. In the event that a team leader is to open the restaurant, it is the team member's responsibility to call the restaurant manager immediately. Managers' telephone numbers will be provided to team leaders who are openers.

Excessive absenteeism/tardiness is considered two or more call offs or tardies in a rolling 90-day period. You may be terminated for attendance due to two or more call offs, two or more tardies or a combination of both. You are expected to maintain predictable and reliable attendance.

#### **Rest Period & Meal Period (Breaks)**

*Company* requires all employees to comply with laws concerning rest periods and meal periods (breaks). Employees are required to take all legally required breaks and to report any situations when they are not allowed to take required breaks. You may not ask to work through your rest or meal break so that you can either come in late or leave early. During your rest break you are not allowed to leave the premises. If you leave the premises during your rest break it may result in disciplinary action. Rest breaks should be taken as scheduled by the manager. Taking breaks other than at assigned times or without permission of manager may result in disciplinary action. Breaks cannot be taken in food-serving areas. Failure to follow this policy will result in disciplinary action up to and including termination of employment.

**California:** Employees are entitled to a 30-minute meal period for 5+ hours worked; two 30-minute meal periods for 10+ hours worked. A paid 10-minute rest period for 3.5 – 6.0 hours in a shift. 6.0 plus hours worked receive two 10-minute paid breaks in addition to 30 minute meal period. Or one hour of pay penalty if meal break missed.

**Colorado:** Employees are entitled to a 30-minute unpaid meal break, and must be given when the workday exceeds five hours unless the workday will be completed within six hours. A 10-minute paid rest break must be given for each 4 hour work period.

**Nevada:** Employees are entitled to a 30-minute meal period for each 8 hours worked, and a 10-minute paid rest period for each 4 hours worked.

**Idaho:** Not Required.

## WORK PERFORMANCE

### Expectations

*Company* expects every employee to act in a professional manner. Satisfactory performance of job duties and responsibilities is key to this expectation. Employees should attempt to achieve their job objectives, and act with diligence and consideration at all times. Poor job performance can result in disciplinary action, up to and including termination.

### Reviews

*Company* may periodically evaluate an employee's performance. The goal of a performance review is to identify areas where an employee excels and areas that need improvement. The *Company* uses performance reviews as a tool to determine pay increases, promotions and/or terminations. All performance reviews are based on merit, achievement and other factors may include but are not limited to: quality of work, attitude, knowledge of work, job skills, attendance and punctuality, teamwork and cooperation, compliance with *Company* policy, past performance reviews, improvement, acceptance of responsibility and constructive feedback.

Employees should note that a performance review does not guarantee a pay increase or promotion. Written performance evaluations may be made at any time to advise employees of unacceptable performance. Evaluations or any subsequent change in employment status, position or pay does not alter the employee's at will-relationship with the *Company*.

### Insubordination

Supervisors and employees should interact with mutual respect and common courtesy. Employees are expected to take instruction from supervisors or other persons of authority. Failure to comply with instructions or unreasonably delaying compliance is considered insubordination. Acts of insubordination are subject to disciplinary action, up to and including termination. If an employee disagrees with a supervisor, the employee should first try to mediate the situation by explaining their position. If possible, a compromise might be met and accusations of insubordination avoided.

## HEALTH AND SAFETY

### Safe Work Practices

*Company* is committed to maintaining a safe workplace for all of our employees. The time to be conscious about safety is before an accident happens. Safety is everyone's responsibility and is a regular, ongoing part of everyone's job. You will receive more specific, detailed information and training on safety issues as an ongoing part of your employment.

However, here are some basic guidelines and safety rules to always keep in mind:

- Follow all written and spoken safety rules.
- Understand safety education material posted or distributed.
- Advise the manager of hazardous conditions, acts or equipment.
- **Notify the manager of accidents immediately.**
- If injured – notify your manager of the need for treatment and contact **Medcor at (800) 775-5866**.
- Wear protective equipment when necessary and use proper tools for the job. Advise fellow associate to do the same.
- Always work in non-skid shoes.
- Keep work areas clean and attend immediately to slippery areas.
- Shut down all equipment before cleaning or repairing them.
- Use proper lifting techniques at all times and get help for heavy loads.
- Avoid horseplay on the job.
- Know where your fire extinguishers are and learn how to use them.
- Know emergency evacuation path.

Report all accidents, no matter how minor they seem, to the manager on duty. For more information about on the job injuries, refer to the worker's compensation section of this handbook. Employees should recognize any potential fire hazards and be aware of fire escape routes and fire drills. Do not block fire exits, tamper with fire extinguishers or otherwise create fire hazards.

*Any safety violations will be documented with the appropriate discipline, up to and including termination.*

## HEALTH & SAFETY (CONT.)

### Workplace Security

If you are ever involved in a robbery, DO NOT RESIST. Statistics show that people, who resist, are three times more likely to be injured than people who do not resist. The safety of you, your fellow employees and customers are our highest priority. Don't be a hero, always cooperate fully and do not resist!

### Emergency Procedures

In the event of an emergency, dial 911 immediately.

### Material Safety Data Sheet (MSDA) Book

*Company* is committed to keeping employees safe. The MSDS book, which is located in an employee accessible area, contains information on each chemical that is used in the restaurant. Each sheet explains what specific Personal Protective Equipment (PPE), must be worn when handling the particular chemical. It also notes what "First Aid" or medical procedures should be followed in the event of exposure to skin, eyes, or if swallowed.

### Guest Accident / Illness

It is mandatory that claims involving food borne illnesses or injury (foreign object in food) must be immediately report to the manager. These are SERIOUS claims and must be handled by management in a timely manner. All other incidents (dissatisfaction) must be immediately reported to the manager.

## FOOD SAFETY / SANITATION

### Sanitation

We are obsessed with sanitation and food safety! Due to the nature of the restaurant business, it is ABSOLUTELY ESSENTIAL that EVERYONE follows safe food handling procedures. This is one area of the restaurant where there is absolutely no compromise. NEVER take shortcuts on food safety and handling. Every day we are entrusted with the health and even lives of our customers. This is a huge responsibility, one that we must never take lightly. While you will receive additional and ongoing training on food safety issues following are some of the basic rules we ALWAYS follow and enforce:

Keep your hands washed. Always wash your hands after using the restroom, smoking, touching your hair, eating, sneezing or coughing. If you use food handling gloves, change them frequently.

Sanitize everything. Besides clean hands, use sanitizing solution to constantly keep counters, cutting surfaces and utensils sanitized. This helps to keep food handling areas and preparation tools free of bacteria.

Prevent cross-contamination. Cross-contamination occurs when raw products comes in contact with other food that will be served without further cooking. For example, never place raw chicken on a cutting board and then cut vegetables for an uncooked product on the cutting board without washing and sanitizing it first. The same for utensils like knives and portioning tools; always wash and sanitize them after every use.

Keep food at the proper temperatures. Potentially hazardous foods like meat, poultry, dairy and fish should always be stored below 41°. Food that is cooking or in holding should always be above 135°. Bacteria count on food grows rapidly between 41° and 135° so it's imperative that our food products spend a minimum amount of time in the "temperature danger zone."

Store food correctly. Raw meat should always be stored below cooked or prepared food. Raw poultry is always placed on the bottom shelf of the walk-in. Keep chemicals and cleaning products away from food products and packaging.

### Hand Washing

Dirty hands and fingernails create hazardous conditions in a food service operation by transferring bacteria onto the food product (cross-contaminating). Harmful bacteria get on hands when they touch skin and hair, dirty work surfaces, uncooked or unwashed foods, cleaning materials, door handles, toilets, etc. Effective, frequent hand washing removes harmful bacteria that are on everyone's hands. *Company* requires strict adherence to the 60 Minute Hand Wash Program to ensure hand washing is frequent and thorough. Hand washing and sanitizing must take place at minimum every 60 minutes.

## FOOD SAFETY / SANITATION (CONT.)

You must wash and sanitize hands before touching any food with your bare hands or changing gloves, and after:

- Starting your work shift or returning from a break.
- Touching your hair, face, nose, mouth, ear or any other areas of the body.
- Touching your uniform, especially your apron.
- Coughing, sneezing, blowing your nose or wiping any skin surface.
- Using the toilet. Once in the rest room and once in the work area. Hand washing must take place in the restroom after using the toilet and again immediately after you re-enter the restaurant work area. This double hand washing after using the toilet is required of every person working in the restaurant regardless of assigned task.
- Eating, drinking, smoking or using tobacco.
- Completing cleaning activities such as sweeping and mopping.
- Handling dirty dishes, equipment, utensils or anything that has dropped on the floor.
- Taking out the trash or doing a maintenance task.
- Stocking handling cases or boxes.
- Handling money or trash at the drive-thru or after contaminating hands.

The hand sanitizer is the final step to ensure that your hands are free of any germs. It does not replace hand washing! Failure to follow hand washing and sanitizing procedures may result in discipline up to and including immediate termination.

### **Disease in the Workplace**

Any exposure to or illness from a communicable disease should be reported to the manager or the human resources manager. A communicable disease may pose a significant risk to the health or safety of others or limit their ability to perform their job. Being a food preparation facility we must have stringent measures in place to reduce the risk of spreading illness. Every case will be handled in a confidential, professional manner and in accordance with the law.

## **EMPLOYEE BENEFITS**

### **Meal Policy**

Employees are eligible to receive a 50% discount on one meal for themselves per shift, not to exceed \$8.00 (maximum discount applied is \$4.00). Meals must be ordered within 30 minutes before or after shift, or during an authorized meal or rest period. Employees will receive unlimited coffee, iced tea, or soft drinks at no charge.

Employees must order from the guest side of the counter, and the receipt must be signed by both the employee and the manager in charge. Employees are not permitted to make or dispense their own food product when purchasing a meal at the restaurant. All employee meals must be consumed on the premises.

Employees may not use their discount for family or friends. Relatives or friends of employees and management are not entitled to free meals or meals at a reduced price. Providing a discount or free food to friends or family is theft and requires immediate termination. At no time is an employee permitted to take, eat or purchase any waste or discarded product. This applies to all food products and all shifts.

### **Workers' Compensation**

As required by law, the company provides workers' compensation benefits for the protection of employees with work-related injuries or illnesses. Workers' compensation insurance provides coverage to employees who receive job-related injuries or illnesses. If an employee is injured or becomes ill as a result of his/her job, it is the employee's responsibility to immediately notify a supervisor of their injury in order to receive benefits. Report every illness or injury to a supervisor, regardless of how minor it appears. The company will advise the employee of the procedure for submitting a workers' compensation claim. If necessary, injured employees will be referred to a medical care facility. Employees should retain all paperwork provided to them by the medical facility. Failure to report a work-related illness or injury promptly could result in denial of benefits. An employee's report should contain as many details as possible, including the date, time, description of the illness or injury, and the names of any witnesses.

A separate insurance company administers the worker's compensation insurance. Representatives of this company may contact injured employees regarding their benefits under the plan. Additional information regarding workers' compensation is available from human resources managers.

## LEAVE POLICIES

### Family and Medical Leave Act Leave

The Company offers leave consistent with the requirements of the federal Family and Medical Leave Act (FMLA). Under the FMLA, an employee may be eligible for an unpaid family and medical leave of absence under certain circumstances, if the employee works within a seventy-five (75) mile radius of fifty (50) or more company employees.

Under the federal FMLA, a person who has worked as an employee of this company for at least 1,250 hours for twelve months is eligible for FMLA leave. Up to twelve weeks of unpaid leave per year is available for the following reasons:

- The birth of a child and to care for the newborn child;
- Placement of a child into adoptive or foster care with the employee;
- Care for a spouse, son, daughter or parent who has a serious health condition; or
- Care for the employee's own serious health condition.

If the need for leave is foreseeable, employees should notify a supervisor 30 days prior to taking FMLA leave. If the need for FMLA leave arises unexpectedly, employees should notify a supervisor as soon as practicable, giving as much notice to the company as possible.

Employees may be required to provide: medical certifications supporting the need for leave if the leave is due to a serious health condition of the employee or employee's family member; periodic recertification of the serious health condition; and periodic reports during the leave regarding the employee's status and intent to return to work. Employees must return to work immediately after the serious health condition ceases, and employees who have taken leave because of their own serious health condition must submit a fitness-for-duty certification before being allowed to return to work.

### Leave of Absence

Regular full-time employees may request an unpaid leave of absence after the exhaustion of paid leave. A request for a leave of absence must be submitted in writing in advance to the employee's immediate supervisor. Leave of absences that are granted are unpaid, and will not be considered until an employee has exhausted all appropriate accrued leave balances. Continuation of employee benefits during a leave of absence will be addressed on an individual basis, as required by law.

## DISCIPLINE POLICY

### Grounds for Disciplinary Action

The *Company* reserves the right to discipline and/or terminate any employee who violates *Company* policies, practices or rules of conduct. Poor performance and misconduct are also grounds for discipline or termination. An employee involved in any of the following conduct may result in disciplinary action up to and including immediate termination without a written warning. This list is not comprehensive; rather, it is meant merely as an example of the types of conduct that this company does not tolerate. These actions include, but are not limited to:

1. Invalid Work Authorization (I-9 form)
2. Supplying false or misleading information to the restaurant, including information at the time of application for employment or leave of absence.
3. Not showing up for a shift without notifying the manager on duty. (No call, no show, no job).
4. Clocking another employee "in" or "out" on the restaurant timekeeping system or having another employee clock you either "in" or "out."
5. Leaving your job before the schedule time without the permission of the Manager on duty.
6. Arrest or conviction of a felony offense.
7. Use of foul or abusive language.
8. Disorderly or indecent conduct.
9. Gambling on restaurant property.
10. Theft of customer, employee or restaurant property including items found on restaurant premises.
11. Theft, dishonesty or mishandling of restaurant funds. Failure to follow cash, guest check or credit card processing procedures.
12. Refusal to follow instructions.
13. Engaging in harassment of any kind toward another employee or customer.
14. Failure to consistently perform job responsibilities in a satisfactory manner within the 30 day orientation period.

## DISCIPLINE POLICY (CONT.)

15. Use, distribution or possession of illegal drugs on restaurant property or being under the influence of these substances when reporting to work or during work hours.
16. Waste or destruction of restaurant property.
17. Actions or threats of violence or abusive language directed toward a customer or another staff member.
18. Excessive tardiness.
19. Habitual failure to punch in or out.
20. Disclosing confidential information including policies, procedures, recipes, manuals or any propriety information to anyone outside the restaurant.
21. Rude or improper behavior with customers including the discussion of tips.
22. Delaying or restricting production and dispensing of food product or encouraging others to do so.
23. Failure to follow hand washing and sanitizing procedures.
24. Carrying firearms or other dangerous weapons on restaurant premises.
25. Smoking or eating in unapproved areas or during unauthorized breaks.
26. Not parking in employee designated parking area.
27. Not entering and exiting the restaurant through approved entrance.
28. Failure to comply with restaurant's personal cleanliness, grooming standards, uniform and dress requirements.
29. Unauthorized operation, repair or attempt to repair machines, tools or equipment.
30. Failure to report safety hazards, equipment defects, accidents or injuries immediately to management.

### Procedures

Disciplinary action is any one of a number of options used to correct unacceptable behavior or actions. Discipline may take the form of oral warnings, written warnings, probation, suspension, demotion, discharge, removal or some other disciplinary action, in no particular order. The course of action will be determined by the *Company* at its sole discretion as it deems appropriate.

### Termination

Employment with the company is on an at-will basis and may be terminated voluntarily or involuntarily at any time.

Upon termination, an employee is required:

- to continue to work until the last scheduled day of employment;
- to turn in all reports and paperwork required to be completed by the employee when due and no later than the last day of work;
- to return all files, documents, equipment, keys, access cards, software or other property belonging to the company that are in the employee's possession, custody or control, and turn in all passwords to his/her supervisor;
- to participate in an exit interview as requested by human resources manager.

### Voluntary Termination

The *Company* recognizes that personal situations may arise which require a voluntary termination of employment. Should this occur, the company requests that the employee provide two weeks advance notice in writing. This request does not alter an employee's at-will relationship with the *Company*. All rights and privileges of employment with the *Company* terminate upon the date of separation. Terminating employees are required to return all *Company* property assigned to them. Failure to do so may result in the withholding of their final paycheck.

### Final Paycheck

Employees who terminate employment with the *Company* will be given their final pay check in accordance with state regulations. Should the employee be unable to personally retrieve their paycheck, it will be mailed to the address on file.

### Exit Interview

The *Company* may request an exit interview upon notice of termination. The purpose of the exit interview is to complete necessary forms, collect *Company* property and discuss employment experiences with the *Company*.



# Acknowledgement of Receipt

## Employee Handbook

*(Employer Copy – Detach and retain for records)*

I acknowledge that I have received a copy of the Employee Handbook. I understand that I am responsible for reading the information contained in the Handbook.

I understand that the handbook is intended to provide me with a general overview of the company's policies and procedures. I acknowledge that nothing in this handbook is to be interpreted as a contract, expressed or implied, or an inducement for employment, nor does it guarantee my employment for any period of time.

I understand and accept that my employment with the company is at-will. I have the right to resign at any time with or without cause, just as the company may terminate my employment at any time with or without cause or notice, subject to applicable laws. I understand that nothing in the handbook or in any oral or written statement alters the at-will relationship, except by written agreement signed by the employee and [enter authorized person's name].

I acknowledge that the company may revise, suspend, revoke, terminate, change or remove, prospectively or retroactively, any of the policies or procedures of the company, whether outlined in this handbook or elsewhere, in whole or in part, with or without notice at any time, at the company's sole discretion.