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**Whiteford's, Inc.**  
**And**  
**Newberry Restaurant Group, Inc.**

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**Management/Employee Handbook**

An Equal Opportunity Employer

A Handbook of Employee Benefits and Personnel Policies

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***IMPORTANT NOTICE***

**IN ACCORDANCE WITH §41-1-110 OF THE SOUTH CAROLINA CODE, THIS EMPLOYEE HANDBOOK IS NOT A CONTRACT OF EMPLOYMENT AND DOES NOT CREATE ANY CONTRACTUAL RIGHTS. EMPLOYMENT BY THE COMPANY IS AT-WILL, WHICH MEANS THAT BOTH THE COMPANY AND THE EMPLOYEE ARE FREE TO TERMINATE THEIR EMPLOYMENT RELATIONSHIP, AT ANY TIME, FOR ANY REASON OR NO REASON AT ALL, WITH OR WITHOUT NOTICE. THE COMPANY RESERVES THE RIGHT TO ALTER, AMEND OR MAKE EXCEPTIONS TO THE HANDBOOK WITH OR WITHOUT NOTICE. THIS HANDBOOK SUPERCEDES ALL PREVIOUS HANDBOOKS.**

**I ACKNOWLEDGE THAT I HAVE BEEN GIVEN AN EMPLOYEE HANDBOOK AND UNDERSTAND THAT THIS HANDBOOK DOES NOT CREATE A CONTRACT BETWEEN ME AND THIS COMPANY. I ALSO UNDERSTAND THAT MY EMPLOYMENT IS AT-WILL.**

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Name

Date

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## **FOREWORD**

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## **WFNRG'S HANDBOOK**

Revised January 2020

This Handbook reflects the policies and procedures of Whiteford's, Inc. and Newberry Restaurant Group, Inc. ("WFNRG") commonly referred to as (the "Company"). The purpose of this Handbook is to serve as a guideline to management and employees, also referred to as "employees," related to the expectations of the Company.

Employees are expected to read and become familiar with the contents of this Handbook and are encouraged to ask questions.

Questions about application, interpretation, or clarification regarding any specific policies or procedures are to be directed to on-site management.

**This Handbook dated January 2020 supersedes any Handbook and/or Policy and Procedure Manual previously issued by the Company, and thus any Handbook and/or Policy and Procedure Manual previously issued by the Company are hereby revoked.**

## **WELCOME**

Welcome to Whiteford's, Inc. and Newberry Restaurant Group, Inc. (WFNRG)!

Whether you have just joined our staff or have been at WFNRG for a while, we are confident that you will find our Company a dynamic and rewarding place in which to work, and we look forward to a productive and successful association. We consider the employees of WFNRG to be one of its most valuable resources.

As an Employee, you represent the Company to our guests. Everything you do contributes to your guest's image of you and the restaurant. This makes your job very important.

## **OUR GUESTS**

The main purpose of our business is to serve the guest. The goal is for them to have a great KFC or Arby's experience, and for them to keep coming back.

### **Remember: The Guest ALWAYS comes first!**

1. The guest is the most important person in the establishment.
2. The guest is not dependent on us - we are dependent on him/her.
3. The guest is not an interruption in our work - he/she is the purpose of it.
4. The guest is deserving of the most courteous and attentive treatment we can provide.
5. Everyone we come in contact with is our guest; paying guests, co-workers, Management and vendors.
6. The guest is the lifeblood of this and every other restaurant.

**EQUAL EMPLOYMENT OPPORTUNITY**

The Company will provide equal employment opportunity without regard to race, color, sex, age, disability, religion, national origin, marital status, ancestry, genetic information or status as a veteran. "The company will provide equal opportunity on the basis of pregnancy, childbirth, or related medical conditions, including, but not limited to lactation.

This policy applies to all areas of employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation benefits, social and recreational programs, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws.

It is the policy of The Company to comply with all the relevant and applicable provisions of the American with Disabilities Act (ADA). The Company will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability. The Company also will make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the duties and assignments connected with the job and provided that any accommodations made are reasonable. Under the ADA qualified individuals are invited to make a request for a reasonable accommodation through the store manager or owner.

Management is primarily responsible for seeing that The Company's equal employment opportunity policies are implemented, but all employees share in the responsibility for assuring that by their personal actions, the policies are effective and apply uniformly to everyone.

All employees are expected to immediately report any discrimination or harassment experienced or observed without fear of reprisal or retaliation by the company. Employees should notify their supervisor, contact Human Resources or the Chief Operating Officer (COO) Argus Wylie at 864-943-2000 ext 104.

Any employee, including managers, involved in discriminatory practices may be subject to discharge.

**ANTI-HARASSMENT AND DISCRIMINATION POLICY**

The Company strives to maintain a workplace that fosters mutual employee respect and promotes harmonious, productive working relationships. We believe unlawful harassment and unlawful discrimination in any form constitutes misconduct that undermines the integrity of the employment relationship. Therefore, the Company prohibits unlawful harassment and unlawful discrimination based on any protected characteristic or trait (i.e., race, color, creed, age, religion, national origin, sex, disability, genetic information, sexual orientation, gender identification, gender expression, veteran status, uniformed services, pregnancy, or on any characteristic protected by applicable federal, state, or local law). This policy applies to all Company employees and all individuals who may have contact with the Company.

**DEFINITIONS****UNLAWFUL HARASSMENT**

Unlawful harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of a protected characteristic, and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment.

- Has the purpose or effect of unreasonably interfering with an individual's work performance.
- Otherwise adversely affects an individual's employment opportunities.

Examples of unlawful harassing conduct include but are not limited to the following:

- Epithets, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to a protected trait or characteristic.
- Electronic, written or graphic material that denigrates or shows hostility or aversion toward an individual or group based on a protected trait or characteristic and that is distributed or posted electronically, on walls, bulletin boards, or elsewhere on Company premises or is circulated in the workplace.

### SEXUAL HARASSMENT

Sexual harassment is a form of sex discrimination, which is a violation of Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission (EEOC) has defined sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made explicitly (overtly) or implicitly a term or condition of an individual's employment.
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting an individual.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include but are not limited to the following:

- Verbal—sexual innuendo, suggestive comments, insults, threats, jokes about gender-specific traits, or sexual propositions.
- Nonverbal—making suggestive or insulting noises, leering, whistling, or making obscene gestures.
- Physical—touching, pinching, brushing the body, coercing sexual intercourse, or assault.

### UNLAWFUL RETALIATION

Unlawful retaliation occurs when an employee makes a complaint with his/her employer or an investigating agency alleging a violation of applicable law, and the employer takes an adverse employment action against the employee because of his/her complaint. The Company prohibits retaliation against employees who bring complaints of unlawful discrimination or harassment under this policy.

### **REPORTING HARASSMENT/DISCRIMINATION**

Any employee who feels he or she has suffered any form of unlawful discrimination, harassment, or retaliation must immediately report the alleged conduct, via one of multiple avenues of reporting:

- To the employee's supervisor/manager
- To Company COO: Argus Wiley

Phone: 864-943-2000 Ext 104  
E-mail: [argus.wiley@whitefords.com](mailto:argus.wiley@whitefords.com)

- The Company may engage a third-party Company to accept confidential complaints of harassment, discrimination, and retaliation. To use this option, Employees should call the designated number posted in your location's Employee Poster area and found within your accessible Employee electronic file.

In addition, any employee who observes conduct by another employee that he or she believes to be unlawful harassment, retaliation, or discrimination must report such conduct as outlined above.

To the extent possible, WFNRG will protect the confidentiality of complaints. The Company cannot guarantee complete confidentiality because it cannot conduct an effective investigation without revealing certain information to the alleged wrongdoer and potential witnesses. However, the information about the allegation will be shared only with those who need to know about it. Records relating to such complaints will be kept confidential on the same basis.

Any individual found by WFNRG to have unlawfully discriminated against or harassed another employee will be subject to appropriate disciplinary action, up to and including termination. Further, any employee who engages in conduct that violates this policy, or whose conduct would violate this policy if allowed to continue, is subject to disciplinary action, up to and including termination.

Unlawful retaliation against an employee for reporting or complaining about harassment is prohibited. However, employees should recognize that false accusations of discrimination or harassment can have serious effects on innocent individuals. The making of accusations that are known or should have been known by the accusing person to be false is a form of misconduct that will likely result in serious impairment of the Company's efforts to administer this policy properly and effectively for the benefit of all employees.

Accordingly, such misconduct may result in disciplinary action, up to and including termination.

## **FRAUD, DISHONESTY, OR FALSE STATEMENTS**

No employee or applicant may knowingly falsify or make any misrepresentations of fact at any time and/or on any Company documents, employment applications, resumes, documents establishing identity or work status, medical records (including, but not limited to, doctor's notes, excuses, etc.), insurance forms, invoices, paperwork, timesheets, time cards, or any other documents. Failure to comply with this policy may lead to disciplinary action up to and including termination.

## **OPEN-DOOR POLICY**

At WFNRG, we are committed to maintaining a good working relationship with our employees. However, in any work environment there may be occasions when problems and complaints arise. It is important that these problems and complaints be discussed so that a resolution can be reached. Most problems can be solved; but if they are not freely discussed, they can become more serious.

WFNRG encourages candid and open communication between you and your supervisors. Please partner with us when you need to voice a concern, make a suggestion or comment, discuss an idea, ask a question in confidence, report suspicious activity, or disagree with a decision that has been made.

Our management team works to promote a work environment where everyone is treated fairly, and your ideas can be heard. When you have an idea or concern, immediately take these steps:

1. Talk with your manager first. It is his/her responsibility to answer your questions promptly.
2. If you and your manager are unable to find a solution, then schedule an appointment with your Area Director.
3. If you are still unable to resolve your concern, contact the Operations Director directly.
4. If you are still unable to resolve your concern, please call the president; Jake Rasor 864-943-2001. If you need to express your concern anonymously, call our confidential hotline posted in the employee Poster area and found within your employee electronic file.

While the Company may not always be able to provide the solution that you desire, we will listen to your concerns and have frank and open communication with you regarding any issue you feel needs our attention. The Company strictly prohibits retaliation against anyone for communicating a workplace suggestion, concern or complaint using this Open-Door Policy.

## **SUBSTANCE ABUSE POLICY**

The company has a compelling interest to ensure that all of its employees are physically and mentally capable of performing their duties while possessing the unquestionable ability to make important decisions. The possession, use, distribution or sale of an illegal drug or misuse of legal drugs or alcohol may pose serious safety and health threats, not only to the user, but to all co-workers.

The purpose of this policy is to advise employees of the intent of the company to have a drug-free and alcohol-free workplace and to provide employees with the company's viewpoint on drug and alcohol usage. The Drug-Free Workplace Act signed into law by Congress in 1988, set the guidelines for all businesses to establish drug free workplaces for their employees.

The company supports employee participation in self-help groups that provide professional help for those seeking assistance for alcohol and drug problems and the personal and emotional problems frequently brought on by such substance abuse. Employees are expected to use such services before drug and/or alcohol usage affects work safety and job performance. Nothing contained in this policy is intended to limit the company's ability to take action where work safety or an employee's job performance is affected by drug and alcohol usage.

The company strictly prohibits the possession, use, distribution, sale or solicitation of drugs, including the unauthorized use or distribution of prescription drugs and controlled substances. The use of alcohol during working hours or reporting to work under the influence of alcohol is prohibited. Where there are reasonable grounds for believing that an employee is in violation of this policy, the employee may be immediately suspended with or without pay pending an investigation. Any violation of this policy will result in termination. The Company may allow alcohol use during social functions sponsored or approved by the Company or during guest or client entertainment sponsored or approved by the Company or the Company's guest or client. When alcohol use is permitted, those who choose to drink are expected to use good judgment and to maintain proper

professional decorum. Alcohol abuse, which in any way interferes with the ability to work, is prohibited. Company premises will include all facilities, work sites, parking lots, vehicles, and offices owned, rented, utilized, serviced, or visited by the Company or by any vendor of the Company and the property inside and outside any of those locations.

All employees who must use a prescription drug that causes adverse effects (e.g. drowsiness, impaired reflexes, or reaction time) should inform their supervisor that they are taking such medication on the advice of a physician. Such employees are responsible for informing their supervisor of the possible effects of the drug on their performance as well as the expected duration of use. If the prescription drug use causes production or safety problems, a supervisor may grant the employee leave or temporarily assign the worker different duties.

Employees are required to cooperate with medical procedures used to diagnose drug or alcohol use, including participation in a urinalysis and or breathalyzer testing. Testing may be conducted under the following circumstances, Post- Accident Testing:

Post-Accident tests should be conducted immediately, but no later than 24 hours after, any workplace accident, injury, or other occurrence that involves one or more of the following events: a fatality, an injury to an employee or other individual, and damage to vehicles or other property. Employees who fail to take this drug test within 24 hours as instructed by Company may be subject to disciplinary action up to and including termination.

Employees who are injured on the job and test positive for a prohibited substance may not be entitled to workers' compensation benefits.

### **Test Results**

Employees who have a positive confirmed test will be notified within 24 hours of the company receiving the results in written form.

### **Testing Procedure**

An initial screening will be performed in accordance with an appropriate testing method. The testing procedure may include the giving of a second sample within 30 minutes of the first sample (alcohol breath test). Samples for testing will be obtained and maintained in accordance with the procedure specified by the laboratory selected for the analysis.

### **Testing Positive:** - Illegal Drugs

Drug testing is performed under the general supervision of a Medical Review Office (MRO). The MRO reviews all procedures and results and determines the validity of all positive drug results prior to reporting such results to the company.

Approved laboratories are used for test analysis (consistent with state law, as applicable). Employees are to cooperate in a chain of custody procedure for all specimens. No drug test is considered to be positive unless confirmed positive by Gas Chromatography/Mass Spectrometry (GCMS) method.

Employees who refuse to be tested, engages in conduct that clearly obstructs the testing process, or refuses to cooperate in any investigation is in violation of this policy and may be terminated. Those employees who test positive are subject to disciplinary action up to and including termination. Employees not terminated for a positive drug screen may be subject to follow-up testing for one year.

**Searches**

Reasonable searches of Company premises, employees and others on the Company's property, including personal effects (lockers, purses, desks, handbags, gym bags, backpacks, briefcases, etc.) and vehicles, may be conducted. Refusal to submit to a search can result in removal from the premises and disciplinary action up to and including termination. Any employee in possession of a prohibited item or substance, including alcohol, will be subject to disciplinary action up to and including termination.

**Convictions**

In addition to being found guilty, convictions, for purposes of this policy, include pleas of guilty and nolo contendere (no contest).

Any employee arrested for or convicted of any offense (including but not limited to a drug or alcohol-related offense) occurring on Company premises or while on duty is required to notify the Company immediately or as soon as practical or sooner if required by applicable law.

Any employee who is arrested for or convicted of any offense (including but not limited to a drug or alcohol related offense) is required to notify the Company within five (5) days after the conviction or sooner if required by applicable law.

**Confidentiality**

The results of all drug/alcohol tests are to be treated as confidentially as practicable.

Only those persons having a legitimate need-to-know should be informed of the results of such tests.

**Consent**

Signing appropriate consent forms or providing a specimen when requested is a condition of employment.

Employees who refuse to sign appropriate forms or provide a specimen will be subject to disciplinary action up to and including termination.

**WORKERS' COMPENSATION**

Injuries occurring during the course of the workday and in the course of employment may be paid for by workers' compensation insurance. Workers' compensation insurance pays all medical costs, without a deductible provision, and premiums are paid for exclusively by the Company. There are well-defined provisions that must be met to ensure that employees qualify for workers' compensation benefits.

**All work-related injuries or illnesses are to be reported immediately to the employee's supervisor.** Supervisors are required to complete an accident report to ensure claims are reported correctly and timely. Any claim for an injury or illness caused by an employee's willful misconduct, or which occurred during an employee's voluntary participation in any off-duty activities including but not limited to recreational, social, or athletic activity whether sponsored or not by the Company, may not be compensable. All on-the-job injuries or illnesses are subject to alcohol and drug testing. Any claim for an injury or illness where the employee has tested positive for alcohol and/or drug usage may be denied. Workers' compensation fraud is a felony, punishable by fines and/or jail time.

The Company maintains the ability to prosecute any individual found to be claiming a fraudulent work-related injury or illness.

In an emergency situation, injured employees should go to the nearest health care facility or hospital to be treated. Specialists are assigned by the Company in certain cases. Any treatment other than that approved by the Company may not be compensable.

This is only a summary of workers' compensation benefits. The terms of applicable law may alter, amend, or supplement this summary.

## **OUTSIDE ACTIVITY DURING DISABILITY**

A number of approved benefits and leaves of absence are provided to employees who are unable to perform the essential functions of their job. Such leave includes FMLA (including Workers' Compensation) and other leaves offered by the company. The Company specifically prohibits an employee who is on any of these forms of leave from participating in any activity that would be precluded by their medical restrictions. This includes working for any secondary employer while on a leave of absence if the work to be performed would violate your medical restrictions. Violation of this policy may lead to disciplinary action up to and including immediate termination of employment.

## **EMPLOYEE CLASSIFICATIONS**

The Fair Labor Standards Act ("FLSA") requires all employees to be classified according to the provisions of the law. For the purpose of paying compensation, all employees are classified as either "Exempt" or "Non-Exempt" from overtime compensation. All determinations of wage classification status are made through a job evaluation process.

**Exempt:** Executive, professional, outside sales, administrative or computer-related occupations which meet FLSA standards, are exempt from overtime pay.

**Non-exempt:** Employees whose positions do not meet the FLSA exemption standards are eligible to be paid overtime. Employees classified as non-exempt generally work in non-professional or non-administrative capacities. Overtime work by non-exempt employees is prohibited without prior specific supervisor authorization. *For questions regarding whether you are classified as exempt or not, please see your immediate supervisor.*

The Company prohibits deductions from an exempt employee's salary except as allowed by the FLSA. If an employee is aware of improper deductions, this violation should be reported immediately to management. All reported or suspected improper deductions from an employee's pay will be promptly and thoroughly investigated. If the Company determines that improper deductions were made, the Company will promptly reimburse the employee the amounts improperly deducted.

**Job Titles:** Please note, where "management" is referenced in this handbook, the positions of Restaurant General Manager (RGM) and Assistant Unit Manager (AUM) applies. Shift Leaders are supervisors and may be considered the "manager-on-duty", however they are not considered "management" for purposes of the handbook and the referenced policies within.

All employees (excluding management) are hired on a part-time basis. Employee progress, growth, and advancement to full-time status with the Company depends on business demands, successful fulfillment of job duties, the ability to follow Company rules of conduct and behavior and maintain a positive attitude.

A **part-time employee** is an hourly Employee who works on average less than thirty (30) hours per work week.

A **full-time employee** is any Employee who works on average of thirty (30) or more hours per week.

## **TIMEKEEPING**

All employees are responsible for keeping and maintaining an accurate record of hours worked. Despite their exemption from overtime, all exempt employees should report vacation and sick time (as should all other employees). Non-exempt employees, including hourly management, are responsible for accurately recording regular hours worked, meal periods, overtime, unpaid absences, and other paid time off. Accordingly, nonexempt employees, including hourly supervision, are to record the time they begin and end work each day as well as the beginning and ending of each meal period. Non-exempt employees, including hourly supervisors, are prohibited from working off the clock.

Employees are required to use the Biometric Timeclock System or current timeclock procedures for their location. Failure to consistently utilize this system, resulting in the need for corrections, may result in disciplinary action up to and including termination. If corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes. Please bring any discrepancies in your paycheck to your Supervisor's attention within three (3) days of pay date. When the discrepancy is verified, an adjustment will be reflected on your next check.

Altering, falsifying, or tampering with time records, or recording time on another employee's time record is a direct violation of this policy and could result in disciplinary action, up to and including termination at the discretion of the Company. Time records are the property of the Company.

Non-exempt employees, including hourly management, are required to be on their jobs at the commencement of their work schedules and are not authorized to leave their jobs until their managers gives them permission to leave the job. Employees should not clock in early before they are planned to start compensable work. Likewise, employees should clock out immediately once they finish compensable work for the day.

Under no circumstances should an employee punch or record another employee's timecard. Such an offense will be grounds for immediate disciplinary action, up to and including termination. Non-exempt employees, including Hourly Management, are required to accurately record all hours worked and are prohibited from working "off-the-clock." Any non-exempt employee or hourly manager that is asked to work "off-the-clock" by a manager must report the incident to Human Resources or Argus Wiley at 864-943-2000 so that a proper investigation can be conducted.

## **OVERTIME PAY**

The Company's regularly scheduled workweek for non-exempt employees, including hourly managers, consists of no more than 40 hours. Employees may be expected to work additional overtime hours during certain peak

periods and at times when additional assistance is needed. Overtime hours will be approved only when the employee or other personnel cannot reasonably accomplish the work requirements during regular work hours.

All overtime has to be authorized by management in advance before work is performed. The requirement to obtain approval in advance also applies to situations where employees may need to work through their normally scheduled breaks. Failure to obtain authorization to work overtime in advance of work being performed may result in disciplinary action, up to and including termination.

Non-exempt employees, including hourly management, will be paid one and one-half (1½) times their regular rate of pay for any hours worked in excess of 40 hours per week, or as necessary in accordance with applicable state or local law. Personal Time, holidays, office closings, Bereavement Leave, and other forms of paid leave do not qualify as hours worked when calculating overtime. Exempt employees do not receive any additional pay for hours worked in excess of 40 hours per week.

## **PAYDAY**

WFNRG pays its employees every two weeks on Friday, after 2pm. This is for the time you have worked during the previous two-week pay period. For Whiteford's, a pay period begins on Tuesday and runs for 14 consecutive days ending on the second Monday. For Newberry Restaurant Group, a pay period begins on Monday and runs for 14 consecutive days, ending on the second Sunday.

Wages are paid via either direct deposit or through a pay card. Paystub information will be issued and available via electronic viewing or a physical copy at the Restaurant.

## **EMPLOYEE DATA**

Keeping personnel data up to date is important with regard to payroll administration, benefits and other matters. It is the responsibility of every employee to promptly notify the Company of any changes to the following:

- Name change
- Life changing event (i.e. marriage, divorce, birth of a child, etc.)
- Home address and/or telephone number
- Emergency contact name and number
- Number of dependents
- Change of beneficiary
- Exemptions on W-4 tax form

## **PAYROLL DEDUCTIONS**

An employer may withhold or deduct the following from the wages of an employee during ongoing employment:

- Federal and state taxes as required by law,

- Garnishments and Levies, as ordered,
- Any deduction that the employee/employer has agreed to and the employee has expressly authorized in writing in advance.

## **MEAL BREAKS**

WFNRG complies with all federal, state and applicable law regarding employee meal breaks. While meal breaks are encouraged, they are issued at the discretion of the manager with respect to business need. Each employee who works a shift of four (4) or more hours is eligible for an unpaid, 30-minute meal break as the business permits. Employees must clock out during these meal breaks and should be relieved of all work responsibilities for 30 minutes or more. Short breaks lasting 20 minutes or less must be counted as hours worked and must be compensated.

Employees may receive one 50% discount meal per shift per workday. The discounted meal must be purchased and consumed when employee is in uniform 30 minutes prior to shift, during a meal break or 30 minutes after completion of scheduled shift. [Management may, however, approve take home meals as business dictates \(i.e. long day shifts or closing shifts.\)](#) All drinks are free to on duty employees if the employee provides his/her own cup. Only managers are allowed to ring up employee discounts. There is no discount allowed for any employee purchasing an item using coupons.

## **SERVICE DATE AND TRANSFER**

An employee's service date is important because it is one of the factors that is considered concerning transfers, promotions, work schedules, vacation scheduling, and requests for leaves of absence. The service date is the employee's first day of employment with the Company or most recent date of hire. Rehires and transfers for performance will reset with start date for current position. For transfers to another restaurant, requests including reasons for transfer should be communicated to your current manager. Requests that are not approved will be communicated. In some instances, employees may be temporarily transferred for business reasons in which case the Company will take into consideration any major inconveniences to the employee.

## **BENEFITS**

The sections below briefly outline the nature and scope of your employee benefits. Our Handbook is only intended to provide basic information with regard to your benefits, and certain limitations apply to all of the benefits outlined in this Handbook. All of the plans are subject to change. Summary plan descriptions are provided to employees regularly, and full benefit plan documents are available to employees on request at any time. The actual plan documents control all benefit issues. We want you to fully understand your benefit package and encourage you to see your Manager if you have any questions or if you would like further information.

Benefits eligibility is dependent upon a variety of factors, including employee classification. In most cases, you will be notified of benefits as you become eligible. Contact your RGM or the corporate office with questions or to identify the programs for which you may be eligible for.

**HEALTH AND DENTAL INSURANCE**

WFNRG offers eligible full-time employees the opportunity to participate in a Company insurance plan. Employees can sign up during the enrollment period which is usually the last quarter of the calendar year. Employee health insurance is partially paid by WFNRG for full-time employees; spouse and/or dependent medical coverage is paid for by the employee. Dental insurance is totally paid by the employee.

Upon separation of employment, health insurance coverage ends on last day of work. Dental insurance coverage would end on the last day of month on or following separation date.

**BEREAVEMENT PAY**

Management is eligible for this benefit upon hire date. All full-time employees are eligible for this benefit following 12 months of consecutive service. Three (3) paid days off will be granted in the event of the death of an employee's spouse, child, stepchild, sibling, step or half-sibling, parent, spouse's parent, or stepparent.

One (1) paid day off is granted in the event of the death of any of the employee's following family members: grandparent, grandchild.

Bereavement pay will be determined using the employee's regular rate of pay at the time the benefit was used.

Documentation of the circumstances is required before bereavement pay is issued.

**JURY DUTY LEAVE**

The Company encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees will be paid when required by federal or state law (GEORGIA). Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their Jury Duty Leave.

Employees are expected to contact work whenever the court schedule permits. You are contact your work location on any day, or portion thereof that is not actually spent in the performance of jury service. Managers are required to report to work as soon as court schedule permits. For each week of jury duty, a certificate of jury service shall be certified by the Court and filed with payroll department no later than Wednesday of the following week.

Any fees received for jury duty, including travel fees, are to be retained by you. Management employees are eligible for jury duty pay in the amount equal to their regular salary minus any pay received for jury duty service rendered. To be paid, employee must submit a court receipt for jury duty pay to the payroll department.

**LACTATION ACCOMODATIONS**

For up to one year after the child's birth, any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby. Employees should use usual break and meal periods for expressing milk, when possible. If additional time is needed beyond the provided breaks, employees may use

personal leave or may make up the time as agreed upon with their supervisors. The Company will also make reasonable efforts to provide the employee with the use of a room or other location in close proximity to the employee's work area to express milk in private. Employees should notify her manager if she is requesting time to express breast milk under this policy. No employee shall be discriminated against for breastfeeding or expressing milk during the work period, and reasonable efforts will be made to assist employees in meeting their infant feeding goals while at work.

## **MILITARY LEAVE**

Employees may have certain rights, benefits, and/or obligations related to service in the uniformed services pursuant to the Uniformed Services Employment and Reemployment Rights Acts ("USERRA") or related state and federal laws. It is the intent of the Company to comply with the requirements provided by USERRA with respect to leaves of absence, continuation of health coverage, reemployment, and other covered matters.

Employees will generally receive time off without pay for qualifying uniformed service. Members of the uniformed services who are called to active duty or otherwise have service-related obligations should provide notice to their supervisor or the Human Resources Representative. Such notice is requested in writing, with a copy of any related duty order, and is requested at least thirty (30) days in advance where feasible or as far in advance of any uniformed service-related absence as reasonably possibly to ensure adequate staffing. Anyone re-applying after completion of uniformed service will be reinstated in accordance with USERRA.

## **FAMILY & MEDICAL LEAVE**

The federal Family & Medical Leave Act of 1993 (FMLA) as amended, requires employers with 50 or more employees to provide eligible employees with unpaid leave. There are two types of leave available, including the basic 12-week leave entitlement (Basic FMLA Leave), as well as the military family leave entitlements (Military Family Leave) described in this policy.

### **Eligibility for FMLA Leave**

Employees are eligible for FMLA leave if they:

1. Have worked for the company for at least 12 months;
2. Have worked at least 1,250 hours for the company during the 12 calendar months immediately preceding the request for leave; *and*
3. Are employed at a work site that has 50 or more employees within a 75-mile radius.

\*Special "hours of service" requirements apply to airline flight crew employees.

The 12 months of service need not be consecutive. Employment before a break in service of 7 years or more will not be counted, unless the break in service was caused by the employee's USERRA-covered service obligation, or there was a written agreement that the employer intended to rehire the employee after the break in service.

Employees with any questions about their eligibility for FMLA leave you should contact Human Resources or their supervisor.

**Basic FMLA Leave**

Employees who meet the eligibility requirements described above are eligible to take up to 12 weeks of unpaid leave during the 12-month period measured forward from the date the employee's first FMLA leave begins for one of the following reasons:

1. To care for the employee's son or daughter during the first 12 months following birth;
2. To care for a child during the first 12 months following placement with the employee for adoption or foster care;
3. To care for a spouse, son, daughter, or parent ("covered relation") with a serious health condition;
4. For incapacity due to the employee's pregnancy, prenatal medical or childbirth; *or*
5. Because of the employee's own serious health condition that renders the employee unable to perform an essential function of his or her position.

**Married couples.** In cases where a married couple is employed by the same company, the two spouses together may take a *combined total* of 12 weeks' leave during any 12-month period for reasons 1 and 2, or to care for the same individual pursuant to reason 3.

**Military Family Leave**

There are two types of Military Family Leave available.

**1. Qualifying exigency leave.** Employees meeting the eligibility requirements described above may be entitled to use up to 12 weeks of their Basic FMLA Leave for a qualifying exigency while the employee's spouse, son, daughter, or parent (the military member or member) is on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty).

**For Regular Armed Forces members,** "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country (outside of the United States, the District of Columbia, or any territory or possession of the United States, including international waters).

**For a member of the Reserve components** of the Armed Forces (members of the National Guard and Reserves), "covered active duty or call to covered active duty status" means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation.

Qualifying exigencies may include:

- Short-notice deployment (seven or less calendar days)
- Attending certain military events and related activities
- Childcare or school activities
- Addressing certain financial and legal arrangements
- Periods of rest and recuperation for the military member (up to 15 calendar days of leave, dependent on orders)
- Attending certain counseling sessions
- Attending post-deployment activities (available for up to 90 days after the termination of the covered military member's covered active duty status, and to address issues arising from death of military member)
- Attending to parental care needs arising from covered active duty or call to duty (arrange for alternative care for a parent of a military member, provide urgent or immediate care, admit or transfer to a care facility, or attend non-routine caregiver meetings with care facility staff)

- Other activities arising out of the military member's covered active duty or call to active duty and agreed upon by the company and the employee.

**2. Leave to care for a covered servicemember.** There is also a special leave entitlement that permits employees who meet the eligibility requirements for FMLA leave to take up to 26 weeks of leave during a single 12-month period if the employee is the spouse, son, daughter, parent, or next of kin caring for a covered military servicemember or veteran recovering from a serious injury or illness, as defined by FMLA's regulations.

**For a current member of the Armed Forces**, including a member of the National Guard or Reserves, the member must be 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.

**For a covered veteran**, he or she must be undergoing medical treatment, recuperation or therapy for a serious injury or illness. *Covered veteran* means an individual who was a member of the Armed Forces (including a member of the National Guard or Reserves), and 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.

An eligible employee must begin leave to care for a covered veteran within five years of the veteran's active duty service, but the single 12-month period may extend beyond the five-year period.

### **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. Military Family Leave due to qualifying exigencies may also be taken on an intermittent basis. Leave may not be taken on an intermittent basis when used to care for the employee's own child during the first year following birth, or to care for a child placed with the employee for foster care or adoption, unless both the employer and employee agree to such intermittent leave.

### **Pay, Benefits, and Protections During FMLA Leave**

**Leave is unpaid.** Family medical leave is unpaid leave (although employees may be eligible for short- or long-term disability payments and/or workers' compensation benefits under those insurance plans) if leave is taken because of an employee's own serious health condition.

**Substitution of paid time off for unpaid FMLA leave.** Family and medical leave and PTO/Vacation will run concurrently. An employee must use any accrued PTO/Vacation for all or parts of any family and medical leave until PTO/Vacation is exhausted.

PTO/Vacation will not accrue while an employee is on FMLA leave. The substitution of PTO/Vacation for unpaid leave time does not extend the 12-week leave period. Furthermore, in no case can the substitution of PTO/Vacation for unpaid leave time result in the receipt of more than 100 percent of an employee's salary.

**Medical and other benefits.** During an approved family medical leave, the company will maintain the employee's health benefits as if the employee continued to be actively employed. If paid leave is substituted for unpaid family medical leave, the company will deduct the employee's portion of the health plan premium as a regular payroll deduction. If leave is unpaid, the employee must pay his or her portion of the premium. The premium will be due at the beginning of each month and should be paid to the Human Resources at the corporate office.

An employee's healthcare coverage may cease if the employee's premium payment is more than 30 days late. If the payment is more than 15 days late, the company will send the employee a letter to this effect. If the company does not receive the co-payment within 15 days after the date of that letter, the employee's coverage may cease. If the employee elects not to return to work for at least 30 calendar days at the end of

the leave period, the employee will be required to reimburse the company for the cost of the premiums paid by the company for maintaining coverage during the unpaid leave, unless the employee cannot return to work because of a serious health condition or other circumstances beyond the employee's control.

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. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave.

**Return to job at end of FMLA leave.** Upon return from FMLA leave, eligible employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

### **Employee Responsibilities When Requesting FMLA Leave**

If the need to use FMLA leave is foreseeable, the employee must give the company at least 30 days' prior notice of the need to take leave. When 30 days' notice is not possible, the employee must give notice as soon as practicable (within 1 or 2 business days of learning of the need for leave except in extraordinary circumstances). Failure to provide such notice may be grounds for delaying the start of the FMLA leave.

Whenever possible, requests for FMLA leave should be submitted to the RGM or Human Resources.

If the need for leave is not foreseeable, employees are required to provide as much notice as soon as practicable under the facts of the particular case. An employee requiring unforeseeable leave must, absent extraordinary circumstances, call his or her store manager and provide sufficient information regarding the employee's need for leave to support a request for FMLA leave. It generally should be practicable for the employee to provide notice of leave within one business day.

When submitting a request for leave, the employee must provide sufficient information for the company to determine if the leave might qualify as FMLA leave, and also provide information on the anticipated date when the leave would start as well as the duration of the leave. *Calling in "sick" is not sufficient.* Sufficient information may include that the employee is unable to perform job functions; that a family member is unable to perform daily activities; that the employee or family member needs hospitalization or continuing treatment by a healthcare provider; or the circumstances supporting the need for military family leave. Employees also must inform the company if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also will be required to provide a certification and periodic recertification supporting the need for leave.

### **Employer Responsibilities**

When an employee requests leave, the company will inform the employee whether he or she is eligible under the FMLA. If the employee is eligible for FMLA leave, the employee will be given a written notice that includes details on any additional information he or she will be required to provide. If the employee is not eligible under the FMLA, the company will provide the employee with a written notice indicating the reason for ineligibility.

If leave will be designated as FMLA-protected, the company will inform the employee in writing and provide information on the amount of leave that will be counted against the employee's 12- or 26-week entitlement.

### **Medical Certification**

If the employee is requesting leave because of the employee's own or a covered relation's serious health condition, the employee and the relevant healthcare provider must supply appropriate medical certification. Employees may obtain Medical Certification forms from **Human Resources**. When the employee requests leave, the company will notify the employee of the requirement for medical certification and when it is due (no more than 15 days after leave is requested). If the employee provides at least 30 days' notice of medical leave, he or she should also provide the medical certification before leave begins.

Failure to provide requested medical certification in a timely manner may result in denial of leave until it is provided. The company, at its expense, may require an examination by a second healthcare provider designated by the company, if it reasonably doubts the medical certification initially provided. If the second healthcare provider's opinion conflicts with the original medical certification, the company, at its expense, may

require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

The company may require subsequent medical recertification. Failure to provide requested certification within 15 days, except in extraordinary circumstances, may result in the delay of further leave until it is provided. Employees may also be required to provide a fitness-for-duty certification upon return to work, or during intermittent leave, as required.

### **Reporting While on Leave**

If an employee takes leave because of the employee's own serious health condition or to care for a covered relation, the employee must contact the company on the 1st and 15th of each month regarding the status of the condition and his or her intention to return to work. In addition, the employee must give notice as soon as practicable (within 2 business days, if feasible) if the dates of the leave change, are extended, or were unknown initially.

### **Exemption for Highly Compensated Employees**

Highly compensated employees (i.e., highest-paid 10 percent of employees at a worksite or within a 75-mile radius of that worksite) may not be returned to their former or equivalent position following a leave if restoration of employment will cause substantial economic injury to the company. (This fact-specific determination will be made by the company on a case-by-case basis.) The company will notify employees if they qualify as "highly compensated" employees if the company intends to deny reinstatement, and of employees' rights in such instances.

### **Intermittent and Reduced-Schedule Leave**

Leave because of a serious health condition, or either type of family military leave may be taken intermittently (in separate blocks of time due to a single health condition) or on a reduced-schedule leave (reducing the usual number of hours worked per workweek or workday) if medically necessary. If leave is unpaid, the company will reduce the employee's salary based on the amount of time actually worked. In addition, while an employee is on an intermittent or reduced-schedule leave, the company may temporarily transfer the employee to an available alternative position that better accommodates the recurring leave and that has equivalent pay and benefits.

## **NON FMLA LEAVE**

For an employee ineligible for unpaid leave under FMLA, The Company may provide unpaid personal medical leave of absence under certain circumstances. Employees who have been employed at least 30 days may be considered for this unpaid leave. This policy is not intended as unpaid sick leave or personal leave entitlement; instead it is to apply in rare, unavoidable instances of extended emergency in the first year of employment.

For purposes of this policy, extended leave for personal purposes may be granted in rare cases of need, such as the serious illness of close family member sufficiently documented and at management's sole discretion. Maximum unpaid leave for such personal absences is 2 weeks.

Extended medical leave for an employee's own serious health condition may, in rare cases be allowed up to 8 weeks within the first full year of employment for full-time employees or within any anniversary year for a part-time employee. Under certain conditions, limited leave may be considered a reasonable accommodation for a qualified individual with a disability, despite length of service.

Granting any such unpaid leave whether personal or medical is at the sole discretion of The Company. If such leave is granted, barring unforeseen circumstances, The Company may agree, at its discretion, to hold the employee's job or its substantially equivalent for up to the length of the leave granted. Periodic updates

regarding intent and/or ability to return to work may be expected as a condition of the leave and /or holding a job open. Additionally, receipt of a doctor's release to return to work may be necessary if applicable.

Requirements for applying for and scheduling of leave, medical certification, notice, and effect on benefits for this non-FMLA leave are consistent with FMLA policy above. **You are not eligible for this non-FMLA leave if you are FMLA eligible and the leave qualifies under FMLA, even if you have exhausted all FMLA leave.**

**Employees who fail to return to work upon exhaustion of the non-FMLA eligible leave are not entitled to a guarantee of future employment. Additional leave may be granted as a timely requested reasonable accommodation. Employees who exhaust this 8-week leave period may continue their insurance to the extent allowed under COBRA.**

## **REQUESTING DAYS OFF**

WFNRG tries to accommodate an employee's request for a specific day off but must still consider the restaurant's business needs. Unpaid time off requests must be made in writing prior to the posting of the weekly schedule. Approved time off requests will be communicated to employee. Requests for time off do not guarantee time off is granted. **Please do not assume that a request is approved until this notification is received.**

## **PAID TIME OFF (PTO)**

The purpose of Paid Time Off (PTO) is to provide eligible employees with flexible paid time off from work that can be used for such needs as vacation, personal or family illness, doctor appointments, school, volunteerism, religious observance, and other activities of the employee's choice.

All full-time Assistant Unit Managers (AUM's), Restaurant General Manager's (RGM's), Area Directors and Corporate Support Staff are eligible for this benefit.

PTO allotments are based on length of service for each calendar year and are available for use throughout that calendar year from January 1 through December 31. See chart below. Those who are promoted to an eligible position for PTO will join the program 6 months after promotion date with the allotment of PTO days earned going forward based on the employee's service from the promotion date.

Where possible (vacation, scheduled appointments/events, etc.), requests to use PTO must be submitted in writing to your manager at least thirty (30) days in advance of your requested PTO dates. PTO may be used in full day increments only. Every effort will be made to grant PTO requests; however, business demands and/or a high submission of PTO requests may result in some requests being denied. Consideration will generally be given to those who submitted their request with the most notice and/or those with circumstances deemed immediate or serious need, at management's discretion.

**Paid Time Off (PTO)**

<b>Years of Service to be Reached Within Current Calendar Year</b>	<b>Eligibility to Use</b>	<b>Total Allotted Annual PTO Days</b>
0 – 6 months		0 days
6 months to 1 year	6-month anniversary	1 week (5 days)
1 year to 4 years	1-year anniversary	2 weeks (10 days)
5 years to 9 years	5-year anniversary	3 weeks (15 days)
10 years +	10-year anniversary	4 weeks (20 days)

*For example, if you were hired on October 3, 2019, you would be eligible for 5 days of PTO on April 3, 2020. If you were hired on January 17, 2020, you would be eligible for 5 days of PTO in July 17, 2020.*

- PTO taken does not count toward any over-time hours.
- Unused PTO will not be paid out in the event and employee quits or is terminated.
- Unused PTO time will not roll-over to the next calendar year. Unused PTO is forfeited at the end of each calendar year.
- Employees on unpaid LOA or unpaid FMLA are required to use all PTO.
- Employees may not sell, purchase or buy back PTO from another employee
- Employees are not paid wages in lieu of unused PTO time. As with regular earnings, PTO time is paid a week in arrears. Additionally, PTO time will not be paid/released if the employee does not return to active work from the PTO period.

Current employees who have been with the company over a year will be grandfathered in to keep same number of PTO days a year if it falls below the new scale.

***Example: if you have been with the company for 1 to 4 years and currently receive 12 days a year PTO, under the new scale would be 10 days. You will be grandfathered in to keep your 12 days PTO.***

***If you have been with company 5 to 9 years and currently receive 18 days a year PTO, under the new scale would be 15 days. You will be grandfathered in to keep your 18 days of PTO.***

**VACATION FOR SHIFT LEADERS**

The new vacation policy is as follows:

Shift Leaders are eligible for vacation time after 6 months of employment with the company and will accrue vacation from date of hire or promotion date. All shift leaders will have a 6-month waiting period before being eligible to take vacation time.

Vacation hours are calculated **based on an accrual system at .01925 on every regular hour worked** which will start accruing from day one of employment, up to 40 hours accrued per calendar year. All vacation hours will be paid at your current regular rate and will not count towards hours worked for overtime. Shift leaders will not be paid wages in lieu of unused vacation time.

All vacation requests must be submitted at least thirty days prior to the start of vacation. Request will be approved based on the impact to the restaurant (staffing, operations, etc.) and by first request, **not** seniority.

Shift leaders can carry over a maximum of 60 hours each calendar year. Once the maximum has been reached the employee will no longer accrue vacation until vacation time is used.

Vacation will not be paid out in the event an employee quits or is terminated.

Employees may not sell, purchase or buy back vacation time from another employee.

As with regular earnings, vacation time is paid a week in arrears.

Additionally, vacation time will not be paid/released if the employee does not return to active work from the vacation period.

**ATTENDANCE**

The Company requires employees to be punctual and to work all scheduled hours. Excessive absenteeism, poor attendance and tardiness are subject to disciplinary action, up to and including termination.

Employees are to notify their supervisor at least four (4) hours in advance whenever they are unable to report for work, know they will be late, or must leave early. If the supervisor is unavailable, the employee is to speak to a member of management.

Poor attendance, excessive tardiness, and excessive early departures are disruptive to productivity and negatively impact guest service. Poor attendance and tardy violations may lead to disciplinary action, up to and including termination.

Failure to report to work or to contact your manager for two days (Do not have to be consecutive) will result in your termination.

**TARDINESS**

Tardiness affects both the working conditions of your fellow employees and guest service. If a situation occurs that causes you to be late for work, you must call your manager and give an approximate time that you expect to report for work. Repeated tardiness will result in disciplinary action up to and including termination.

**ABSENCES**

If a situation occurs that will cause you to miss a scheduled shift, you must speak to your supervisor at least four (4) hours before the start of your shift. Text messages are not acceptable forms of communication. If you are unable to reach your supervisor by phone, you are to leave a voicemail and wait to hear back from your manager to confirm message was received. Based on the nature of the absence, you may be required to furnish relevant documentation if the absence is to be excused. Excessive absences are unacceptable and may lead to disciplinary action up to and including termination.

**TOBACCO USE IN THE WORKPLACE**

WFNRG is committed to providing you with a healthy environment. In keeping with this philosophy, we maintain a drug, alcohol and tobacco-free work environment.

Each restaurant no longer allows smoking on the property. Smoking and/or the use of tobacco products by employees is not permitted anywhere in the Restaurant, guest areas or in the parking lot at any time.

**SAFE WORKPLACE**

The Company is committed to providing a safe and healthy workplace for all of its employees and, therefore, considers the personal safety and health of each Employee of primary importance. The Company requires that all employees cooperate in helping to promote safety and to prevent accidents to employees, guests, and visitors, by observing posted and common-sense rules.

Employees are required to report any unsafe or hazardous condition directly to their supervisor immediately so the condition can be remedied as quickly as possible. Employees may report any safety concern without fear of reprisal and may choose to report the situation anonymously to management.

In case of an accident involving an injury, regardless of how minor, employees are required to notify their supervisor immediately. Failure to report accidents may result in a violation of legal requirements and may lead to difficulties in processing insurance and benefit claims.

Violations of safety standards, which may cause hazardous or dangerous situations, or allowing such conditions to remain unreported and not effectively remedied, may result in disciplinary action, up to and including termination of employment.

**WEAPONS**

The possession of weapons, including, but not limited to firearms, knives (not being used for work or authorized in advance by your manager/supervisor), tools (used improperly), and explosives, presents the possibility of danger in the workplace and, therefore, is in violation of the weapons policy. Possession of such articles is proper cause for disciplinary action at the discretion of the Company, up to, and including termination of employment. The Company prohibits anyone from possessing or carrying weapons of any kind on Company property, in Company vehicles or while on Company time.

It is the Employee's responsibility to make certain that any item they possess is not prohibited by this policy. If an item is questionable, please contact management. Police officers, security guards, and other individuals who have been given consent by the Company to carry a weapon on the property may be allowed to do so.

**VIOLENCE IN THE WORKPLACE**

The safety and security of all Employees is of primary importance at the Company. Threats of violence, threatening, abusive and disruptive behavior, or acts of violence against employees, visitors, vendors, clients, or other individuals by anyone on Company property or while working (including meal and rest breaks) will not be tolerated. Violations of this policy will lead to corrective action up to, and including, termination and/or referral to appropriate law enforcement agencies for arrest and prosecution. The Company reserves the right to take any necessary legal action to protect its employees.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on Company premises shall be removed from the premises as quickly as safety permits and shall remain off Company premises pending the outcome of an investigation. Following investigation, the Company will provide an appropriate response. This response may include, but is not limited to, suspension and/or termination of any business relationship, reassignment of job duties, suspension or termination of employment, and/or criminal prosecution of the person or persons involved.

All employees are responsible for notifying management of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior, statements, etc. immediately. Examples may include those witnessed and regard as potentially threatening or violent or which could endanger the health and/or safety of an employee that have been carried out on a Company-controlled site or is connected to Company employment or Company business. Employees are responsible for making this report regardless of the relationship between the individual who initiated the threatening behavior and the person or persons being threatened. The Company understands the sensitivity of the information requested and respects the privacy of the reporting employee to the greatest extent allowed under law.

Threats or assaults that require immediate attention should be reported first to law enforcement at 911.

Supervisors and managers who receive such reports should ensure all parties are appropriately notified including the President.

**SECURITY INSPECTIONS**

The Company's goal is to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other prohibited materials to include electronic information and communications. To this end, the Company prohibits the possession, transfer, sale, or use of such materials or communication on or with Company property.

Additionally, the Company does not tolerate theft or unauthorized possession of property belonging to employees, the Company, visitors, or guests.

The Company and its representatives may inspect not only desks and lockers, but also persons entering and/or leaving Company property, including any personal packages or other belongings (e.g., purses, briefcases, etc.). Any employee who wishes to avoid inspection of personal property should not bring such items onto Company property. Personal vehicles parked on Company property may also be subject to inspection. The Company also maintains the right to access and inspect any previously stored verbal or written communication(s) and any other communication at any time.

Desks, lockers, and other storage devices and any Company electronic systems or devices may be provided for the convenience of employees, but remain the sole property of the Company, and employees should have no expectation of privacy in these Company-provided storage spaces. Accordingly, the Company can inspect any storage device, as well as any article found within them, at any time, either with or without prior notice.

**CONFIDENTIALITY**

The protection of confidential business information and trade secrets is vital to the interests and the success of the Company. The Company takes steps to maintain the confidential nature of its confidential and proprietary information. Misuse or unauthorized disclosure of Confidential Information not otherwise available to persons or firms outside the Company is cause for disciplinary action, up to and including termination. Employees are further prohibited from sharing financial data or other non-public proprietary Company information and nonpublic Confidential Information regarding business partners, vendors, or Guests. Confidential Information includes, but is not limited to:

- Technical information
- Computer processes
- Guest lists
- Guest preferences
- Marketing strategies
- Company financial records
- Sales documents
- Passwords to the security system, computer equipment, safe combination, and any security or proprietary business function
- Business plans and projections
- Profit and performance reports
- Growth strategies

- Product and service information
- Techniques and methods of operation that are not readily available to the public and that are maintained as confidential by the Company.

Employees are prohibited from using Confidential Information or trade secret information for personal gain. Nothing in this policy prohibits employees from using Confidential Information, if necessary, to bring any concerns or complaints of any unlawful activity to the attention of a government agency.

Employees who have any question as to whether information may constitute Confidential Information under this policy should ask their manager or discuss the issue with a supervisor before disclosing the information to any third party. Failure to comply with this policy may lead to disciplinary action up to and including termination.

### **ELECTRONIC SECURITY/INSPECTION POLICY**

The Company provides and maintains many forms of electronic communication, messaging agents and electronic facilities including internal and external electronic mail (e-mail), telephone voice mail, Internet access, and computer hardware and software. As a condition of providing this technology, the Company enforces certain restrictions on its workplace use and restricts such use to Company business purposes during working time.

This policy must be followed in conjunction with other policies governing appropriate workplace conduct and behavior. The Company complies with all applicable federal, state and local laws as they concern the employer/employee relationship, and nothing contained herein should be construed to violate any of the rights or responsibilities contained in such laws.

The internal communication systems, as well as the equipment and data stored, are, and remain at all times, the property of the Company. All messages and files created, sent, received or stored within the system are, and will remain, the property of the Company. Employees with access to Company e-mail have the right to use Company e-mail for personal reasons during non-working time as long as such personal use does not interfere with work or compromise system security or performance.

The Company reserves the right to retrieve and review any message or file composed, sent or received. Although a message or file has been deleted or erased, it is still possible to recreate the message. Therefore, ultimate privacy of messages cannot be assured to anyone. Although e-mail and voice mail may use passwords for security, confidentiality cannot be guaranteed. It is possible for messages to be retrieved and viewed by someone other than the intended recipient.

As all electronic communication and electronic facilities are property of the Company, the Company reserves the right to monitor both the use of these technological systems and the content of the communications distributed through these electronic communication systems at its discretion. **Employees have no reasonable expectation of privacy regarding the use of any of these electronic services.** The Company may access email mailboxes and "deleted" messages and the Company may disclose certain email messages as it deems necessary for business purposes. Attachments to email messages, such as pictures and other graphic files, are subject to inspection and should not violate any Company policies, including the Company's discrimination and harassment policies. In addition, the Company reserves the right to monitor access of the internet.

Threatening, harassing, or intimidating material shall not be entered into the computer or sent by electronic means. Also prohibited are any messages that are sexually oriented/explicit, racial slurs, gender-specific comments or any other comments that address someone's age, sexual orientation, religious or political beliefs, national origin, or disability in an unlawful or discriminatory manner. These prohibitions also apply to any communication sent or displayed on any social media, including but not limited to, internet blogs, Twitter, and Facebook if being used for Company business. When accessing these sites, an employee should make sure it is clear that the employee is speaking his/her own opinion and not as a designated Representative of the Company if an employee is discussing Company business. Nothing in this policy is intended to inhibit an Employee's rights under federal or state labor law rights, including any and all rights under the National Labor Relations Act, or any whistleblower protections under federal or state law.

Employees are prohibited from installing or downloading any unauthorized software such as shareware, screen savers, time synchronizers and search tools bars, onto Company computer equipment. Employees may not copy software from Company computers and install it on their home or other computers without the express written permission of Management. The Company does not allow the unauthorized use, installation, copying, or distribution of copyright, trademark, or patented material on any Company communication tool. Employees whose communication activity violates state or federal law or Company policies are subject to disciplinary action up to and including termination of employment.

## **DRIVING ON COMPANY BUSINESS**

The safety and well-being of our employees is very important to our Company. We therefore each have a responsibility to not only protect ourselves when on the road but also should do our part to protect those around us. Employees that are required to drive on Company business will be expected to consistently follow all the safety procedures below:

- All employees are expected to wear seat belts at all time while in a moving vehicle being used for Company business, whether they are the driver or a passenger.
- Use of handheld devices while behind the wheel of a moving vehicle is strictly prohibited. This includes the use for making or receiving phone calls, sending or receiving text messages or e-mails, and downloading information from the web. If an employee needs to engage in any of these activities while driving, they must pull over to safe location and stop the vehicle prior to using any device.
- Employees are required to turn off cell phones or put them on vibrate before starting their car. Employees may consider changing their voicemail message to indicate that they are unavailable to talk, as they are driving.
- Although use of cell phones under any circumstances is strongly discouraged while driving, the use of hands-free technology may be warranted in emergency circumstances only.
- The use of other handheld s, such as iPads, iPods, laptops, electronic readers, and the like are strictly prohibited while driving a vehicle on Company business.

- Engaging in other distracting activities including, but not limited to, eating, putting on makeup, reading, or changing radio stations or music is also strongly discouraged while driving, even when in slow-moving traffic.
- The use of alcohol, drugs, or other substances including certain over-the-counter cold or allergy medications that in any way impair driving ability is prohibited.
- All Employees are expected to follow all driving laws and safety rules, such as adherence to posted speed limits and directional signs, use of turn signals, and avoidance of confrontational or offensive behavior while driving.
- All passengers must be approved by management in advance of work travel.
- Employees should never allow anyone to ride in any part of the vehicle not specifically intended for passenger use and/or any seat that does not include a working seat belt.
- Employees must promptly report any accidents to local law enforcement as well as to the Company in accordance with established procedures.
- Employees are also required to report any moving or parking violations received while driving on Company business.
- Insurance must be maintained current as a term and condition of continuing employment in positions that require driving.

## **COMPANY VEHICLES**

Whiteford's at times provides vehicles for business use to allow employees to drive on company-designated business. Whiteford's retains the right to amend or terminate this policy at any time. (The term "vehicle," as used in these guidelines, includes, but is not limited to trucks, cars or any motorized vehicle or equipment.)

### **Driver Requirements**

The criteria herein must be met at all times. If an employee does not meet or finds during the duration of employment that there are any requirements not met, the employee must notify the supervisor immediately. In addition to the guidelines above in the Driving for Business Policy, drivers of Company vehicles must adhere to the following:

- Drivers must have a current, valid driver's license. A copy of up to date insurance and legal driver's license must be on file at the restaurant or home office.
- Drivers must maintain a clean driving record (must remain insurable under Whiteford's liability insurance policy), reporting any infractions to the supervisor immediately.
- Employees are to use Whiteford's vehicle for work-related matters and not during days off or time off for personal matters or errands without written approval from supervisor.

- Non-employees and nonbusiness passengers (i.e., family and friends) are prohibited from riding in Whiteford's – owned vehicles.
- No driver may pick up or transport non-employees while in a Whiteford's vehicle or on Whiteford's business, unless there is a work-related need to do so.
- No driver may consume alcohol, illegal drugs or substances that may impair operating a vehicle while driving a Whiteford's vehicle, while on Whiteford's business, while in a Whiteford's-owned vehicle, or prior to the employee's shift if such consumption while on duty. In addition, no driver may consume or use any substance, regardless of legality or prescription status, if by so doing, the driver's ability to safely operate a motor vehicle and carry out other work-related duties would be impaired or diminished.
- No driver or passenger may use tobacco of any form of tobacco product while driving or sitting in a Whiteford's vehicle.
- Vehicles are to be kept neat, clean, organized and looking professional at all times. A vehicle that is dirty is considered un-professional and needs cleaned. A vehicle that has a clean outside appearance but disorganized with materials or tools not properly stored and organized is considered unsafe and unprofessional.
- Employees must report any accident, theft or malicious damage involving a company vehicle to their supervisor immediately, regardless of the extent of damage or lack of injuries.
- Any illegal, dangerous, or other conduct while driving on Whiteford's business, whether in a company issued vehicle or personal that would tend to place the lives or property of others at risk is prohibited.
- Any employee driving a Whiteford's vehicle or driving on Whiteford's business must observe all safety, traffic, and local and federal criminal laws.

### **SOLICITATION/DISTRIBUTION POLICY**

Solicitation and distribution of literature by non-employees on Company property is prohibited. Solicitation by Employees is prohibited when the person soliciting, or the person 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. Distribution of literature by employees on Company property in nonworking areas during working time, as defined above, is prohibited. Distribution of literature by employees on Company property and unauthorized use of Company bulletin boards in working areas is prohibited.

### **EMPLOYMENT OF RELATIVES/CLOSER THAN NORMAL RELATIONSHIPS**

The Company strongly believes that a workplace where employees maintain boundaries between personal and business interactions is most effective for conducting business. A "closer than normal" personal or familial relationship can be described as when two employees are dating, married, or are related while assigned to the same restaurant.

Individuals in supervisory relationships or other influential roles are subject to more stringent requirements under this policy due to their status as role models, their access to sensitive information and their ability to influence others.

For such relationships, the following are guidelines must be adhered:

- During work time and in work areas, employees are expected to keep personal exchanges limited so that others are not distracted or offended by such exchanges and so that productivity is maintained.
- During non-work time, such as lunches, breaks and before and after work periods, employees are not precluded from having appropriate personal conversations in non-work areas as long as their conversations and behaviors could in no way be perceived as offensive or uncomfortable to a reasonable person.
- Employees are strictly prohibited from engaging in physical contact that would in any way be deemed inappropriate by a reasonable person while anywhere on company premises, whether during working hours or not.
- Employee off-duty conduct is generally regarded as private, as long as such conduct does not create problems within the workplace.
- Due to the high potential for favoritism or allegations of quid pro quo relations, romantic relationships between supervisors and direct reports are prohibited.
- Supervisors, managers, or anyone else in sensitive or influential positions must disclose the existence of any familial relationship or other relationship that has progressed beyond a platonic friendship with another coworker. Disclosure must be made to the Area Director. This disclosure will enable the Company to determine whether any conflict of interest exists because of the relative positions of the individuals involved.
- Where problems or potential risks are identified, the Company will work with the parties involved to consider options for resolving the conflict. The initial solution will be to make sure that the parties involved no longer work together on matters where one is able to influence the other or take action for the other. Matters such as hiring, firing, promotions, performance management, compensation decisions, financial transactions, etc. are examples of situations that may require reallocation of duties to avoid any actual or perceived reward or disadvantage.
- In some cases, more significant measures may be necessary such as transfer to other positions or departments.
- Failure to work with the Company to resolve a problematic situation, in a manner satisfactory to the Company, may result in discipline, up to and including termination.

The provisions of this policy apply regardless of the sexual orientations of the parties involved. Any employee who feels they have been disadvantaged as a result of this policy, or who believes this policy is not being adhered to, should contact their Area Director.

**SOCIAL MEDIA POLICY**

At WFNRG, we understand that social media can be a fun and rewarding way to share your life and opinions with family, friends and co-workers around the world. However, use of social media also presents certain risks and carries with it, certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

**Guidelines**

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal web site, social networking or affinity web site, web bulletin board or a chat room, whether or not associated or affiliated with WFNRG, as well as any other form of electronic communication. The same principles and guidelines found in WFNRG policies apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job performance, the performance of fellow employees or otherwise adversely affects Guests, suppliers, people who work on behalf of WFNRG or WFNRG's legitimate business interests may result in disciplinary action, up to and including termination.

**Know and follow the rules**

Carefully read these guidelines, the Standards of Conduct, the Anti-Discrimination & Harassment Policy, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action, up to and including termination.

**Be respectful**

Always be fair and courteous to fellow employees, guests, members, suppliers or people who work on behalf of WFNRG. Also, keep in mind that you are more likely to resolve work-related complaints by speaking directly with your co-workers or by utilizing our Open-Door Policy than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparage guests, members, employees or suppliers, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or WFNRG policy.

**Be honest and accurate**

Make sure you are always honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the Internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about WFNRG, fellow employees, guests, suppliers, and people working on behalf of WFNRG.

**Post only appropriate and respectful content**

- Maintain the confidentiality of WFNRG trade secrets and private or confidential information. Trades secrets may include information regarding the development of systems, processes, products, knowhow and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications
- Respect financial disclosure laws. It is illegal to communicate or give a “tip” on inside information to others so that they may buy or sell stocks or securities.
- Do not create a link from your blog, website or other social networking site to a WFNRG website without identifying yourself as a WFNRG employee.
- Express only your personal opinions. Never represent yourself as a spokesperson for WFNRG. If WFNRG is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of WFNRG, fellow employees, members, guests, suppliers or people working on behalf of WFNRG. If you do publish a blog or post online related to the work you do or subjects associated with WFNRG, make it clear that you are not speaking on behalf of WFNRG. It is best to include a disclaimer such as “The postings on this site are my own and do not necessarily reflect the views of WFNRG.”
- Taking, posting, and/or streaming photos or video while at the workplace of self, others, or the location is not permitted without prior written authorization from management.

**Using social media at work**

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your manager or consistent with WFNRG Equipment Policy. Do not use WFNRG email addresses to register on social networks, blogs or other online tools utilized for personal use.

**Retaliation is prohibited**

WFNRG prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

**Media contacts**

Employees should not speak to the media on WFNRG's behalf without first contacting the Company President. All media inquiries should be directed to the Company President.

**For more information**

If you have questions or need further guidance, please contact the Company President.

**ELECTRONIC DEVICE POLICY**

Employees may have the opportunity to use their personal electronic devices for work purposes when authorized in advance by management. Personal electronic devices include personally owned cellphones, smartphones, tablets, laptops, computers, and storage devices.

The use of personal devices is limited to certain employees and may be limited based on compatibility of technology. Please note that use of personal devices for personal reasons during a shift is strictly limited to emergency situations only. The Company is not liable for employee property that is lost, stolen or damaged while on the Company premises. Contact a member of Company management for more details.

**RESTRICTIONS ON AUTHORIZED USE**

While at work, employees are expected to exercise the same discretion in using their personal devices as is expected for the use of Company devices. The Company policies pertaining to harassment, discrimination, retaliation, trade secrets, Confidential Information and ethics apply to employee use of personal devices for work-related activities.

Excessive personal calls, e-mails or text messaging during the workday, regardless of the device used, can interfere with employee productivity and be distracting to others. Employees must handle personal matters on non-work time and ensure that friends and family members are aware of the policy. Exceptions may be made for emergency situations and as approved in advance by management.

Non-exempt employees, including hourly managers, may not use their personal devices for work purposes outside of their normal work schedule without authorization in advance from management. This includes reviewing, sending and responding to e-mails or text messages, responding to phone calls, or making phone calls. Non-exempt employees, including hourly managers, who have access to Company systems outside of regular work hours are expected to track the time spent working and to report that time as time worked. As with all overtime, this work must be approved by management in advance. Non-exempt employees, including hourly managers, are prohibited from working "off-the-clock." All time worked must be recorded. Any nonexempt employee or hourly manager performing work from home or outside the normal work location must have prior approval from management.

Employees may not use their personal devices for work purposes during periods of unpaid leave without authorization from management. The Company reserves the right to deactivate the Company's application and access on the employee's personal device during periods of unpaid leave.

Family and friends should not use personal devices that are used for Company purposes or any device that Restaurants or can access Company information.

**PRIVACY/COMPANY ACCESS**

**No employee using his or her personal device on a Company network should expect any privacy except that which is governed by law. The Company has the right, at any time, to monitor and preserve any communications that use the Company's networks in any way, including data, voice mail, telephone logs, Internet use and network traffic, to determine proper use.**

Management reserves the right to review or retain personal and Company-related data on personal devices or to release the data to government agencies or third parties during an investigation or litigation. Management may review the activity and analyze use patterns and may choose to publicize these data to ensure that Company's resources in these areas are being used according to this policy. Furthermore, no employee may knowingly disable any network software or system identified as a monitoring tool.

**SAFE USE OF DEVICES**

Employees are expected to follow applicable local, state and federal laws and regulations regarding the use of electronic devices at all times.

Employees who drive for the Company or drive while on working time are expected to refrain from using their personal devices while driving. Regardless of the circumstances, including slow or stopped traffic, employees are required to safely and legally park the vehicle before using a mobile device, including for calls and texts. Employees are permitted to receive or make calls using a hands-free device if so doing is compliant with traffic laws and does not impair one's ability to operate the vehicle safely. Special care should be taken in situations involving traffic, inclement weather or unfamiliar areas. Employees are strictly prohibited from texting, emailing, surfing the internet, or otherwise using any electronic device while driving on Company time, for Company purposes, or while operating a Company vehicle.

Employees who are charged with traffic violations resulting from the use of their personal devices while driving will be solely responsible for all liabilities that result from such actions and may face disciplinary action, up to and including termination.

Employees who work in hazardous areas must refrain from using personal devices while at work in those areas, as such use can potentially be a major safety hazard.

**LOST, STOLEN, HACKED OR DAMAGED EQUIPMENT**

Employees are expected to protect personal devices used for work-related purposes from loss, damage or theft. Employees must immediately notify management in the event their personal device is lost, stolen or damaged. By allowing access to Company information in the Company's electronic systems through a personal device, employees specifically authorize the Company to erase all Company information from the personal device and understand that this may be done remotely if employees refuse to provide their personal devices to the Company for inspection and removal of Company information.

**TERMINATION OF EMPLOYMENT**

Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the personal device for inspection. All Company data on personal devices will be removed upon termination of employment.

**VIOLATIONS OF POLICY**

Employees who have not received authorization in writing from the Company management and who have not provided written consent will not be permitted to use personal devices for work purposes. Failure to follow policies and procedures may result in disciplinary action, up to and including termination of employment.

**KEYS**

Employees with Company Keys/swipe cards must return such items on demand or when employment ends. If an employee fails to return these on demand or at the end of employment, the locks may be changed. Loss of Keys/swipe cards must be immediately reported to the area supervisor. A second or repeating occurrence of lost keys may result in the disciplinary action.

**OFFICE HOURS**

The home office is located in Greenville, SC and is generally open for business between the hours of 9:00 am and 5:00 pm Monday through Friday. However, many salaried personnel work in the office at other times also. The mailing address and phone number of the office:

Whiteford's Inc. and Newberry Restaurant Group  
880 South Pleasantburg Drive  
Building 4-C  
Greenville, SC 29607

Phone: 864-943-2000

Fax: 864-943-2002

Email: [office@whitefords.com](mailto:office@whitefords.com)

**INCLEMENT WEATHER**

In the event you are scheduled to work during harsh weather conditions, you should contact your manager for instructions. At times, emergencies such as snowstorms, and other severe weather, fire, power failure, etc. can disrupt Company operations. In extreme and rare cases, these circumstances may require the closing of the work facility. When operations are officially closed due to emergency conditions, the time off for nonexempt employees, including hourly management, from scheduled work will be unpaid. Shift Leaders with available paid-time-off may request to use it with Manager approval during these events. Please contact Management about possible facility closings or other inclement weather questions.

**TRAINING**

Training is the responsibility of WFNRG and the employee. WFNRG will provide the direction, the trainers and the systems but we depend on our employees to share concerns or challenges as they go through the training program.

Through our training program, you will learn the procedures for productive preparation and guest service. Your manager will demonstrate the correct way to do things and supervise you as you become proficient. This will make your jobs a lot easier and give you a feeling of security as you assume your role as a team member.

During your training, you will be taught using various training methods and materials. These will contain detailed descriptions of product preparation, guest service polices, and safety, but remember that you own your training as well. At any time, if you are not getting the information you need to be successful in your role, please ask questions.

**REFUNDS, DISCOUNTS, AND FREE FOOD**

If your duties include operating the cash register, you must be thoroughly familiar with the established policies for issuing refunds or discounts. When a guest seeks a refund, refer the transaction to your supervisor on duty. Discounts on food products and/or free food is strictly prohibited. Unauthorized discounts or giving extra food in an order is subject to disciplinary action up to and including immediate termination and possible prosecution.

**TELEPHONE AND COMPUTER USAGE**

The restaurant's telephones and computers are for business use only. Incoming calls are not allowed, except for emergencies. Team Members are not allowed to answer the phone without the permission of the supervisor on duty.

Failure to follow this policy could result in disciplinary action up to and including termination.

**CASH CONTROL POLICY/ CASH AND INVENTORY GUIDELINES**

In accepting employment with WFNRG, employees understand that they may be immediately terminated, and possibly prosecuted, for any violation of the Company cash and inventory guidelines, including but not limited to the following:

- Failure to ring in guest checks immediately
- Manipulating guest checks or coupons (including under ringing and not ringing)
- Taking money from cash register or cash fund
- Unauthorized removal of product or equipment
- Any attempt to conceal cash shortages

- Any falsification of data or paperwork, Restaurant reports, electronic information, or any Company forms
- Holding checks beyond the date received
- Any form of floating cash receipts or change funds
- Paid out recorded but not transacted that same day
- Cashing employee payroll and other personal checks at register
- Giving "Manager Access" to registers, safe, coupons, discounts, computers or any other form of WFNRG financial control discipline

Merchandise inventories recorded in the POS register will be verified a minimum of twice per day. Prior to opening and at closing. Any Variances that cannot be accounted for must be reported to the area supervisor immediately.

Merchandise deliveries are the direct responsibility of the supervisor on duty. Failure to properly account for stock received will not be tolerated. If a manager delegates this task to a team member, the manager is still held accountable to make sure all stock listed on the invoice has been received.

All bank deposits, purchases, transfers, and timekeeping are the direct responsibility of the shift manager that is on duty during the transaction. That manager is responsible for entering these transactions in the POS register.

Restaurant Safes are to be kept on FULL LOCK. Only members of management are allowed in the safe.

Failure to comply with any guideline within this policy or other shortage-related conduct will lead to disciplinary action up to and including termination.

## **BULLETIN BOARDS**

Bulletin Boards are for Company use only. Personal use is not allowed without Management approval. WFNRG communicates with employees largely through bulletins sent to your restaurant. Check the areas where bulletins are posted each shift for important information. You will be held accountable for all information communicated through the use of bulletin boards.

## **APPEARANCE GUIDELINES**

All restaurant employees should follow our appearance standards. Great service means that you, as an employee, move with a sense of urgency, be clean and well-groomed, and dress in a clean, well-fitting uniform.

**Smile:** This is the most important part of your uniform. Your smile represents our Company, its' professional image and our guest friendly environment.

**Uniforms:** A clean, wrinkle free uniform and overall appearance are a representation of the company and convey our commitment to excellence for service, quality, and cleanliness.

Our employee uniform consists of Company hat and Company shirt. These items will be paid for and provided by the company. For uniformity employees are to wear black pants, black belt, and non-slip shoes.

The uniform must be worn at all times while on duty. Uniform clothing should be clean, odor-free and fit properly, not too tight, too loose, or with hanging shirt tails, etc. Shirts must be tucked in at all times. Visible undershirts must be clean and white. Nametags are issued upon hire and are required to be worn on shirts or hats at all times while on duty. Nametags should be clean and free from adornment –stickers, buttons, markings or other hanging items. (If you damage or lose your nametag, please see your manager for a replacement.) Shoes must be clean, polished and constructed of leather or other durable, grease-repellant top coating, and have non-skid soles and low heels. Belts must be clean, smooth material (such as leather). Belts should be free of any pictures, stamps, rivets, strings, studs or bling and fit properly.

RGMs and AUM's (and Shift Leaders when acting as a MOD) are required to wear hats when preparing food, packing orders and dispensing drinks.

**Hygiene:** Employees are to bathe, use deodorant and brush their teeth daily before arriving at work. Perfume and colognes should be light in application.

Employees should wash their hands often and in compliance with Brand and State Food Safety Guidelines. This includes before each shift, when changing tasks and always after using the restroom. Always wash and sanitize your hands before you handle or prepare any food products. That includes when you stop and do something else and start preparing food again. Fingernails must be kept clean and cut short. Gloves and/or tongs must be used with all food handling. Artificial nails are not permitted and if nail polish is worn, gloves must be worn at all times of food handling.

**Hair:** Your hair must be clean and neatly maintained. The goal is to keep hair up and off your face and shoulders. If hair falls below collar level, it must be properly restrained. A hair restraint must be worn at all times while on duty. Full length beards are not allowed, except for medical or religious reasons. Beards, moustaches and goatees are permitted if they are kept short and neatly trimmed. Sideburns must be neatly trimmed and maintained. Wear only the Company-approved hats or visors (with a hairnet if needed).

**Jewelry:** Jewelry should be kept to a minimum. Employees not working in food preparation may wear no more than one ring on each hand and a wristwatch. For food safety compliance, no jewelry can be worn on your hands in the food preparation area. Other acceptable jewelry includes small post or button type earrings (2 per ear maximum) and should be worn in earlobes only. No visible body piercings other than the ears except for religious purposes. A single necklace can be worn but not dangle outside the uniform due to the safety concerns. As a reminder, WFNRG does not assume the responsibility of any loss, stolen or broken personal items brought into the Restaurant.

**Tattoos:** Tattoos must be covered at all times.

Appearance guidelines and uniform standards are subject to change. Violation of policy may lead to disciplinary action, up to and including termination of employment. Management has the final decision regarding appropriate attire/appearance.

## **Employee Health Policy Agreement**

**Reporting: Symptoms of Illness**

I agree to report to the manager when I have:

1. Diarrhea
2. Vomiting
3. Jaundice (yellowing of the skin and/or eyes)
4. Sore throat with fever
5. Infected cuts or wounds, or lesions containing pus on the hand, wrist, an exposed body part (such as boils and infected wounds, however small).

**Reporting: Diagnosed Illnesses**

I agree to report to the manager when I have:

1. Norovirus
2. Salmonella Typhi (typhoid fever)
3. Shigella spp. infection
4. E. coli infection (Escherichia coli O157:H7 or other EHEC/STEC infection)
5. Hepatitis A

Note: The ***manager must report to the Health Department*** when an employee has one of these illnesses.

**Reporting: Exposure of Illness**

I agree to report to the manager when I have been exposed to any of the illnesses listed above through:

1. An outbreak of Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or Hepatitis A.
2. A household member with Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or hepatitis A.
3. A household member attending or working in a setting with an outbreak of Norovirus, typhoid fever, Shigella spp. infection, E. coli infection, or Hepatitis A.

**Exclusion and Restriction from Work**

If you have any of the symptoms or illnesses listed above, you may be ***excluded\**** or ***restricted\*\**** from work.

\*If you are excluded from work you are not allowed to come to work.

\*\*If you are restricted from work you are allowed to come to work, but your duties may be limited.

**Move Away from Work Area**

1. If a team member gets cut on the job, they should immediately stop what they are doing
2. Move away from the work area and notify the manager on duty.
3. All burns, cuts and wounds on the hands, wrists or forearms must always be covered with a blue bandage to help prevent infection and contamination.

- a. The blue color makes it easy to see and is not a common bandage color used by customers.

### **Returning to Work**

If you are excluded from work for having diarrhea and/or vomiting, you will not be able to return to work until ***more than 24 hours have passed*** since your last symptoms of diarrhea and/or vomiting.

If you are excluded from work for exhibiting symptoms of a sore throat with fever or for having jaundice (yellowing of the skin and/or eyes), Norovirus, Salmonella Typhi (typhoid fever), Shigella spp. infection, E. coli infection, and/or Hepatitis A, you will not be able to return to work until ***Health Department approval*** is granted.

### **Agreement**

I understand that I must:

1. Report when I have or have been exposed to any of the symptoms or illnesses listed above; and

- 2. Comply with work restrictions and/or exclusions that are given to me**

## **EMPLOYEE CONDUCT GUIDELINES**

The Company expects employees to follow rules of conduct that will protect the interests and safety of all employees and Company. As a member of the team, you are expected to always follow the Company's rules for acceptable personal conduct. No list of rules will cover every situation that can arise. Listed below are some examples of conduct that the Company considers inappropriate and which may result in disciplinary action, up to and including termination of employment.

**ALL EMPLOYEES OF THE COMPANY ARE EMPLOYEES AT-WILL, AND CAN BE TERMINATED AT ANY TIME FOR ANY REASON OR FOR NO REASON, WITH OR WITHOUT NOTICE. FURTHER, IF YOUR CONDUCT, PERFORMANCE, WORK HABITS, ATTITUDE OR DEMEANOR BECOMES UNSATISFACTORY OR UNACCEPTABLE, INCLUDING BASED ON VIOLATIONS OF POLICIES, GUIDELINES, RULES, REGULATIONS OR RULES OF CONDUCT, WHETHER CONTAINED HEREIN OR IN OTHER DOCUMENTS, YOU MAY BE SUBJECT TO DISCIPLINARY ACTION, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.**

### **Work Rules**

- Theft or inappropriate or unauthorized removal or possession of money, gift cards, promotional discounts or property belonging to The Company or its employees, vendors or guests.
- Willfully falsifying, tampering with or improperly altering timekeeping records, your employment application, or any other record maintained by The Company.
- Working or reporting to work under the influence of alcohol, controlled substances (unless use is occurring pursuant to a prescription) or illegal drugs or failing to report to work because of their influence detailed in the Substance Abuse policy herein.

- Possession, distribution, sale, transfer, or use of alcohol, controlled substances (unless use is occurring pursuant to a prescription) or illegal drugs in the workplace, while on or off duty; while conducting work-related activities outside the workplace; or while operating employer-owned vehicles or equipment;
- Possession of dangerous or unauthorized materials, weapons or firearms, in the workplace.
- Fighting, intimidating, or threatening violence in the workplace, except in justified and excusable self defense against physical violence.
- Engaging in workplace gossip, speaking negatively about another employee or guest that is not present in the conversation or about a situation that you were not directly involved in.
- Negligence or improper conduct leading to damage, loss or destruction of employer, vendor or guest owned property; all conduct deemed as horseplay, whether injury or property damage occurs or not.
- Insubordination or other disrespectful conduct, such as lying or cursing at a member of management, the staff, or Guests.
- Sexual or other unlawful harassment, discrimination or retaliation.
- Excessive absenteeism or tardiness, excessive absence without notice, or unauthorized absences from the workplace during the workday.
- Unsatisfactory performance or conduct or refusal or repeated failure to follow The Company's rules, procedures or standards.
- Profanity or disruptive activity in the workplace.
- Violation of safety or health rules, including the use of any form of tobacco in prohibited areas.
- Damage of company property to include but not all inclusive of equipment damage caused by improper usage, cleaning or maintenance.
- Inappropriate or unauthorized use of the Company's telephones, mail system, or other equipment (see detailed policy herein).
- Failure to follow food specifications in preparation or in serving and violation of any Brand or State Food Safety Guidelines.
- Refusal or repeated failure to report to the workplace as scheduled.
- Engaging in any action (physical or verbal) creating a perception of rudeness directly or inadvertently towards any guest.

- Unauthorized disclosure of the Company's trade secrets or similar confidential Information; or
- Violation of any of the Company's rules, regulations, policies or directives, or actions which are detrimental to the Company's business.

It is our expectation that employees will conduct themselves in a manner that is professional, compliant and effective in the successful performance of their job. In situations where this is not the case, management will take constructive and corrective action as deemed appropriate on a case-by-case basis. This means that disciplinary action may include, but not be limited to documented coaching and counseling, additional training, verbal and/or written warnings, suspension, demotion, and/or termination. Action taken may or may not be delivered in a progressive manner depending on the nature and severity of the offense. All responses to performance and/or conduct matters will be handled with respect toward all parties involved.

## **RESIGNATIONS**

If you decide to leave the Company, we request that you give us a two (2) week written notice. employees who leave without giving proper written notice may not be eligible for rehire. Any accrued but unused PTO will be forfeited upon separation unless approved in advance by the Company. Applicable COBRA notice will be provided. Any bonuses or other compensation, beyond regular wages for hours worked, are only paid to active employees at the time of distribution.

