

2022 Employee Handbook

(Standard Form Version)

Customized **FELS**® Employee Handbook (Standard Form Version) is suitable for short-term and seasonal employment. It can be used in conjunction with the "Receipt of Company Handbook" shown below. **FELS**® will customize the handbook with your company's site-specific information and then print the handbook in English and Spanish.

HOW TO ORDER

To Order: Complete the form below, including the section titled **Your Company's Site-Specific Information** located to left of the Order Form. Then email, mail or fax the completed form to **FELS**. Companies requesting printing services will receive a copy of the finished product for approval before printing. Additional customization of the handbook is available from **FELS**. Please call 800-753-9073 for details. .

ORDER FORM

Order Online at www.fels.net/1/supply-catalog/hr-materials.html

Items Ordered

- ☐ **FELS**® Customized Employee Handbook (Standard Form Version) (***ADMIN MINI HNDBK**) \$250.00
- ☐ Add our company logo beside our company name (***ADMIN MINI LOGO**).
(Company logos are reduced to approximately 1"x1" depending on the space available) \$55.00
- ☐ Additional customization (per paragraph - Eng&Spn) (***ADMIN MINI ADDL**) \$80.00
- ☐ **401.E.BRO** - Print the first 100 copies of our ENGLISH (11"x17") handbook \$55.00
- ☐ Print ___ additional copies (increments of 100) of our ENGLISH handbook \$40.00
- ☐ **401.S.BRO** - Print the first 100 copies of our SPANISH (11"x17") handbook \$55.00
- ☐ Print ___ additional copies (increments of 100) of our SPANISH handbook \$40.00
- Paper color: ☐ Blue ☐ Yellow ☐ Buff ☐ Brown ☐ White ☐ Salmon ☐ Green ☐ Goldenrod
- (**Note:** handbook will be printed only after final approval of the draft by your company)
- ☐ Send ___ pads of the form **#106.B.FRM** "Receipt of Company Handbook."
(Printed on two-part NCR paper in pads of 25 sets; see sample on other side) \$6.95/each

Payment Method:

☐ Check # _____

To order the **FELS**® Customized Employee Handbook (Standard Version)
with a credit card, please call our office at 1-800-753-9073.

Signature: _____

Subtotal \$ _____

FELS discount^① \$ _____

Handling^② \$ _____

Taxable Subtotal^③ \$ _____

Sales Tax^③ \$ _____

Total Due \$ _____

① **FELS**® CTR (Subscriber) No.: _____

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② Handling Charges

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\$50.01 - \$75.00	\$7.50	\$400.01 - \$650.00	\$30.00
\$75.01 - \$100.00	\$10.00	\$650.01 - \$1,000.00	\$37.50
\$100.01 - \$125.00	\$12.50	\$1,000.01 - \$1,500.00	\$45.00
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- ① **FELS** Subscribers deduct 20% from **subtotal** (*No discount on Service Items). **FELS** CTR (Subscriber) No.
- ② See Handling chart above
- ③ Add 8.75% Sales Tax based on Taxable Subtotal (*No discount on Services)
- ★ Reformatting English & Spanish and translation of new text.

(Rev. 01/10/2022)

2022 EMPLOYEE HANDBOOK

(STANDARD FORM VERSION)

YOUR COMPANY'S SITE-SPECIFIC INFORMATION

RECIBO DEL MANUAL DE LA COMPAÑÍA RECEIPT OF COMPANY HANDBOOK

Nombre del empleado
Employee Name _____

Date
Fecha _____

El que firma abajo admite haber recibido una copia del manual de la compañía y reconoce que es requisito de empleo leerlo y entenderlo. Cualquier pregunta tocante el manual debe de ser dirigida a su supervisor.

En consideración a mi empleo, acepto que mi empleo y compensación pueden ser terminados, con o sin causa, y con o sin notificación, en cualquier momento a opción de la compañía o mía

The undersigned acknowledges receipt of a company handbook and recognizes that it is a requirement of employment to read and understand it. I will direct any questions about the handbook to my supervisor.

In consideration of my employment, I agree my employment and compensation can be terminated, with or without cause, and with or without notice, at any time at the option of either the company or myself.

Signature/Firma _____
(EMPLEADO / EMPLOYEE)

Signature/Firma _____
(MAYORDOMO/FOREMAN)

1. Do you employ 50 or more employees (full-time or part-time) within a 75-mile radius of your principal place of business ☐ **Y** or ☐ **N** (If "Y" you are covered by federal Family and Medical Leave Act and must provide FMLA job-protected leave for the reasons and purposes described in that law; your handbook will include language describing that leave.)
2. Do you employ 5 or more employees (full-time or part-time)? ☐ **Y** or ☐ **N** (If "Y" you are covered by the California Family Rights Act, and must provide CFRA job-protected leave for the reasons and purposes described in those laws; your handbook will include text describing such leave. You are also covered by the discrimination prohibitions of the Fair Employment and Housing Act (FEHA); your handbook will include text describing discrimination-related rights of employees of covered employers and covered-employer policies and procedures for responding to possible discrimination.) **Note:** All employers are covered by anti-harassment and anti-retaliation provisions of FEHA, and all handbooks include appropriate language describing employee anti-harassment and anti-retaliation rights and employer policies for responding to reports of possible harassment or retaliation.

Workweek:

Begins (day): _____ Time of day: _____

Payroll Period:

☐ Daily ☐ Weekly ☐ Biweekly ☐ Semimonthly

Payday: (Day of week) _____

Employees must use personal mobile phones for business purposes:

☐ Yes ☐ No

Reimbursement per month for business use of personal mobile phone: \$ _____
(The 2014 California Court of Appeal opinion in *Cochran v. Schwan's Home Service, Inc.*, requires that an employer reimburse an employee a reasonable percentage of the employee's mobile phone bill for mandatory work-related use of a personal mobile phone, even if the employee has an unlimited calling plan and incurs no additional expense by using the phone for work-related purposes.)

"Other than immediate supervisor" company official for referral of discrimination/harassment/retaliation complaints to:

- ☐ Company's Owner
☐ Company's President
☐ Human Resources Department
☐ Other (Title or Name) _____

PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE

Make check payable to **FELS®** • 2600 River Plaza Dr., Ste. 300 • Sacramento CA 95833-4236 • (800) 753-9073 • Fax: (916) 561-5696



EMPLOYEE HANDBOOK FOR YOUR COMPANY NAME

Copyright 2022 Farm Employers Labor Service (FELS®)



WELCOME

Greetings! We are happy to have you working with us and hope our relationship will be satisfying.

Direct any problem about employment status, pay, or working environment to your supervisor. Discuss with your supervisor's superior any issue you cannot resolve with your supervisor.

Company announcements and governmental notices are posted at convenient locations. Your supervisor can help you locate them.

ABOUT THIS HANDBOOK

This handbook cancels and replaces all prior Company personnel policies, practices, and guidelines that pertain to its subject matter.

EMPLOYMENT RELATIONSHIP

Your employment is not for any definite period but is at will, meaning either you or the Company may, either with or without cause, end the employment relationship at any time. This at-will employment policy is not intended to, nor does it, undermine or interfere with your right to engage in lawful concerted activity pertaining to your employment.

CHANGES

The Company may, either with or without cause, change its employment policies, practices, requirements, and benefit programs, and your compensation, position, duties, and hours of work, and any other term or condition of your employment by notifying you of the change in a writing signed by an authorized representative of the Company. Remaining in employment after having been so notified means you agree to the change.

EMPLOYMENT STATUS

You will be informed of your employment status upon hire. Your employment status never changes automatically, such as due to your employment continuing longer than initially anticipated. If hired as a Temporary Employee or Seasonal Employee, your employment will end when the purpose of your employment ends. Temporary Employees and Seasonal Employees are not eligible for benefits not required by California or federal law or regulation.

COMMUTING

Our Company has multiple work sites with a wide range of travel times between them and employees' residences. Employees may be assigned to work at any one or more of these worksites.

Employees accept employment with our Company understanding that they are responsible for their transportation between their residences and these worksites.

Time spent by employees while traveling between their residences and these worksites is not considered hours worked, and employees are not compensated for that time whether they ride in their own vehicles or voluntarily in Company-provided transportation; such time is considered hours worked by an employee only where the Company requires the employee to use Company-provided transportation.

TRAVEL BETWEEN WORKSITES

Time spent by employees while traveling between worksites during the workday at the direction of the Company is considered hours worked, and employees are compensated at the hourly rate specified for travel time.

EQUAL EMPLOYMENT OPPORTUNITY

Job applicants and employees have an equal employment opportunity in compliance with applicable laws prohibiting employment discrimination. Where required by law to do so, the Company makes reasonable accommodation for the known physical or mental limitation of an otherwise qualified applicant or employee with a disability unless undue hardship to the Company would result, as permitted by laws that require the Company to make such accommodations.

DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION

The Company strongly condemns any form of unlawful employment-related discrimination and harassment. Besides being against the law, unlawful discrimination and harassment—including but not limited to sexual harassment—in employment is not good business. Our Company policy prohibits unlawful discrimination, harassment, and retaliation by supervisors, managers, and all other employees, as well as by vendors and customers. No employee or supervisor reporting any suspected violation will be subjected to retaliation for bringing forth a complaint or participating in an investigation.

The Company strives to maintain a workplace free from discrimination, bias, harassment and retaliation and expects all personnel to cooperate in implementing this policy, which includes these elements:

1. All supervisors and employees must ensure and maintain a bias-free and nondiscriminatory work environment free of unlawful harassment and retaliation.

2. The Company does not refuse to hire or employ any person, bar or discharge any person from employment, or exclude any person from training leading to employment, or discriminate against any person in compensation or in terms, conditions, and privileges of employment because of race, color, religion, religious creed, national origin, ancestry, citizenship, physical or mental disability, medical condition (meaning cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age (40 years and over), sexual orientation, or any other status protected by law that applies to the Company and its employees.
3. The Company does not tolerate any harassment or use by anyone in its employ of any verbally derogatory epithet based on any of the protected categories listed in paragraph 2 above, or any other status protected by law that applies to the Company and its employees.
4. Harassment means disrespectful or unprofessional conduct based on any of the protected categories listed in paragraph 2 above. Harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), visual (such as the posting or distribution of offensive posters, symbols, cartoons, drawings, computer displays, or emails), or physical conduct (such as physically threatening another person, blocking someone's way, or making physical contact in an unwelcome manner).
5. Sexual harassment means harassment based on sex or conduct of a sexual nature. It includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, or gender expression. It includes all actions described as harassment in paragraph 4 above, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations about sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and includes situations that began as reciprocal relationships but that later cease to be reciprocal.
6. Some examples of sexual harassment are:
 - a. Making unwanted sexual advances or propositions.
 - b. Offering employment benefits in exchange for sexual favors.
 - c. Making or threatening reprisals after being refused a request for sexual favors.
 - d. Visual conduct: Making sexual gestures, leering, or displaying sexually suggestive objects, pictures, cartoons or posters.
 - e. Verbal conduct: Speaking offensive language, telling offensive jokes, or making slurs, derogatory comments, or sexual propositions.
 - f. Engaging in verbal abuse of a sexual nature, making graphic verbal descriptions about a person's body, using sexually degrading or suggestive words to describe someone, or sending sexually suggestive or obscene letters, notes or invitations.
 - g. Engaging in inappropriate physical contact, such as unwanted touching, assaulting, or blocking movement.
7. Abusive workplace conduct based on any of the protected categories listed in paragraph 2 above is a form of unlawful harassment and not tolerated. Abusive workplace conduct includes malicious conduct that a reasonable person would find hostile or offensive and that is not related to an employer's performance standards or other legitimate business interests. Examples of abusive workplace conduct include:
 - a. Repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, or epithets.
 - b. Verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating.
 - c. Sabotaging or undermining a person's work performance.

A single act constitutes abusive workplace conduct only if the act is especially severe or egregious.
8. An employee who believes this policy is being violated should immediately report that belief, either in writing or personally, to the Human Resources Department, to any senior manager other than a supervisor who you believe may have violated this policy, or to any other person management may designate. Supervisors will report complaints of violations of this policy to the Human Resources Department, to any senior manager, or to any other person management may designate.
9. After learning of an employee's concern about being harassed, the Company will act to stop any further harassment and to correct any effect of the harassment. To those ends, the Company:
 - a. Fully informs the complainant of his or her rights and of any obligation to secure those rights.
 - b. Fully and effectively investigates the complaint. The investigation is immediate, thorough, objective, and complete. Persons with information on the matter are interviewed. A determination is made and the results are communicated to the complainant, to the alleged harasser, and as appropriate, to others directly concerned.
 - c. Takes prompt and effective action to remedy harassment. First, appropriate action is taken against the harasser and communicated to the complainant. Second, steps are taken to prevent any further harassment. Third, appropriate action is taken to remedy the complainant's loss, if any.
10. An employee who believes any provision of this policy—including its anti-discrimination, anti-harassment, and anti-retaliation provisions—is being violated should immediately report that belief, orally or in writing, to the employee's supervisor or to that supervisor's supervisor. An employee who is not comfortable reporting that belief to either of those supervisors may instead report it to (the Company's Owner/Company President/(specify name or title)). So the Company can investigate and try to resolve it internally, a supervisor must immediately report a complaint of misconduct under this policy to the (Company's Owner/Company President/(specify name or title)).

11. The Company will conduct a fair, timely, and thorough investigation of a complaint of unlawful harassment reported as per paragraph 10 above. The investigation will provide all parties with appropriate due process and will reach reasonable conclusions based on the evidence collected. The Company will keep confidentiality to the extent possible. Unless external involvement is warranted, impartial and qualified internal personnel will conduct the investigation. The investigation will be documented, tracked for reasonable progress, and completed timely.
12. If upon the end of the investigation it concludes a violation of this policy occurred, the Company will take appropriate remedial action. An employee found to have violated this policy will be subject to disciplinary action, up to and including immediate discharge. In addition, an employee may be held personally liable for harassing conduct that violates the California Fair Employment and Housing Act (FEHA).
13. Notification to the Company of suspected harassment is essential to enforcing this policy. No one will be exposed to retaliation for lodging a complaint or for participating in an investigation. It is unlawful for an employer to retaliate against an employee for opposing practices prohibited by the FEHA or for filing a complaint with or otherwise participating in an investigation or proceeding conducted by the California Department of Fair Employment and Housing (DFEH). Similarly, the company prohibits employees from hindering its internal investigations or its internal complaint procedure.
14. A complaint of unlawful harassment or retaliation may also be filed with the California Department of Fair Employment and Housing (DFEH), generally within one year after unlawful conduct occurred. The DFEH may be reached by telephone at (800) 884-1684 (voice) or (800) 884-1684 (TTY), by email at contact.center@dfeh.ca.gov, or through California's Relay Service at 711. Information about the DFEH complaint process is posted at dfeh.ca.gov/complaint-process/ and a complaint may be filed with DFEH online at dfeh.ca.gov/complaint-process/file-a-complaint/.

(Information about number of employees is provided by the customer on the order form; all employers are covered by harassment provisions of the Fair Employment and Housing Act (FEHA); employers regularly employing five or more employees are also covered by FEHA discrimination requirements (above).)

FAMILY, MEDICAL, AND PREGNANCY DISABILITY LEAVE

The Company is covered by the California Family Rights Act of 1991, as amended. If you have at least 12 months of service with the Company and have worked at least 1,250 hours in the 12 months before the date you want to begin your leave, you may have a right to an unpaid family-care or medical leave. This leave may be for up to 12 workweeks in a 12-month period (1) for the birth, adoption, or foster-care placement of your child, (2) for your own serious health condition or that of your child, parent, or spouse, registered domestic partner, grandchild, grandparent, sibling or parent-in-law or (3) for "any qualifying exigency" arising out of the fact that your spouse, registered domestic partner, son, daughter, or parent is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. Additionally, an eligible employee who is the spouse, son, daughter, parent, or next of kin of

a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember.

No matter whether you are eligible for CFRA leave, if you are disabled by pregnancy, childbirth, or a related medical condition, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. For more information, contact your supervisor or see the company bulletin board.

(Employer coverage and inclusion of this policy in your handbook is determined by the number of employees indicated in "Your Company's Site-Specific Information."

(Employees of employers of 5 or more employees may be eligible for CFRA leave.)

FAMILY, MEDICAL, AND PREGNANCY DISABILITY LEAVE

The Company is covered by the federal Family and Medical Leave Act and the California Family Rights Act of 1991, as amended. If you have at least 12 months of service with the Company and have worked at least 1,250 hours in the 12 months before the date you want to begin your leave, you may have a right to an unpaid family-care or medical leave. This leave may be for up to 12 workweeks in a 12-month period (1) for the birth, adoption, or foster-care placement of your child, (2) for your own serious health condition or that of your child, parent, or spouse, registered domestic partner, grandchild, grandparent, sibling or parent-in-law or (3) for "any qualifying exigency" arising out of the fact that your spouse, registered domestic partner, son, daughter, or parent is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. Additionally, an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the servicemember.

No matter whether you are eligible for CFRA leave, if you are disabled by pregnancy, childbirth, or a related medical condition, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. For more information, contact your supervisor or see the company bulletin board.

(Employer coverage and inclusion of this policy in your handbook is determined by the number of employees indicated in "Your Company's Site-Specific Information."

(Employees of employers of 50 or more employees may be eligible for CFRA and FMLA leave.)

LACTATION ACCOMMODATION

An employee has a right to request lactation accommodation meeting requirements for lactation accommodation as specified in the California Labor code. An employee may request lactation accommodation by submitting a lactation accommodation request

form to her supervisor. If break time or a location complying with Labor Code requirements cannot be provided, the supervisor will provide a written response to the employee. An employee has a right to file a complaint with the Labor Commissioner for any violation of chapter 3.8 of the California Labor Code regarding lactation accommodation.

FITNESS FOR WORK

Physical Examination: The Company may require a physical examination at the time of hire or whenever it is uncertain about an employee's physical ability to perform his or her job. A physical examination is conducted by a doctor selected by the Company at the Company's expense. Records of such physical examinations are confidential.

Return to Work: An employee returning from a disability leave of absence must give the Company a release from the employee's physician stating any limitation that must be observed. The Company may require the employee to be examined at its expense by a physician selected by it. To the extent it may be required by law to do so, the Company will reinstate the employee to the position previously held by the employee or place the employee in another available position, based on the physician's recommendation.

Reporting for Work: Employees must report for work when and where scheduled, both physically and mentally willing and able to work. Also, the employee must report to work with the necessary tools loaned to the employee by the Company, if any.

The Company may prevent from starting or continuing to work an employee who, in the opinion of the employee's supervisor, is physically or mentally impaired to an extent the employee could not work competently or would pose a safety threat if allowed to work. Impairment may be due to the employee being under the influence of alcohol or other drugs, or to any other physical or mental limitation that may pose a safety hazard. The Company may also prevent from working an employee who reports to work without necessary tools, if any, loaned to him or her by the Company.

INSPECTIONS

To protect its property and the safety of its employees and to maintain proper discipline, the Company reserves the right to inspect to the extent allowed by law, without giving employees any notice of the inspection, all areas of and adjacent to its premises, as well as all other areas under its control. These areas include, but are not limited to, employee lockers, desks, Company vehicles, employee vehicles, notebooks, electronic (computer) data, tool boxes, parking lots, and buildings. The Company may also inspect Company-operated employee living quarters but will, except in the case of an emergency, give affected employees reasonable notice of the inspection.

MISCONDUCT AND DISCIPLINE

People who work together must abide by rules of conduct, based on honesty, good taste, and fair play. Here are examples of prohibited conduct:

1. Falsifying any timekeeping or other Company record.

2. Fighting, threatening others, or disrupting their work.
3. Unlawfully possessing, using, or being under the influence of a controlled substance at any time on Company premises or anywhere during working time. (An employee taking medication that may affect work safety or performance must so inform the supervisor before starting work.)
4. Being insubordinate or failing or refusing to perform assigned work.
5. Slowing or interfering with production or encouraging other employees to do so.
6. Failing to inform the supervisor when unable to report for work.
7. Incurring excessive absences or excessive instances of tardiness.
8. Abusing or stealing Company property or that of another employee.
9. Failing to immediately report a work injury or illness to the supervisor.
10. Refusing to sign a receipt for any disciplinary or other issued notice.
11. Harassing other employees.
12. Breaking any Company rule.

This is not a complete list of prohibited conduct. An employee who engages in prohibited conduct, even if it is not listed above, may be disciplined. In some cases, the Company may issue an oral or written warning.

The Company may suspend, demote, transfer, discharge, or otherwise discipline an employee for a more serious violation, or when the employee has previously violated the same or another rule, or is not meeting acceptable performance standards. In all cases, the Company has absolute and sole discretion about disciplinary decisions and actions.

MOBILE PHONES

An employee may not use a personal mobile phone to make phone calls during the employee's working time.

An employee authorized to use a mobile phone during the employee's working time must obey all laws regulating its use. Accordingly, an employee may not use a mobile phone in any manner prohibited by law. An employee who is not sure if the law prohibits a particular use of a mobile phone should discuss the matter with the employee's supervisor.

Employees may not use a mobile phone in areas posing risk of fire or explosion, such as fueling areas for vehicles or equipment and chemical-storage areas.

Employees using a personal mobile phone for business purposes may be reimbursed for business-related calls with the submission of a copy of the invoice detailing the business calls, minutes used,

and associated charges. Reimbursement is for minutes used for business-related calls and not for stand-alone monthly charges and fees. Exception: An employee using a personal mobile phone for business purposes under a service plan allowing unlimited voice access will be reimbursed \$ _____ per month. Employees must not use personal mobile phones during working time in any way that would reduce productivity or distract employees from safe working practices.

(Reimbursement amount is provided by the customer on the order form. Employees using personal mobile phones with unlimited data/voice plans are entitled to an indeterminate reimbursement for use of that data or voice service. (*Cochran v. Schwann's Home Service, Inc.*))

PHOTOGRAPHS AND VIDEOS

Taking photographs or recording videos in production areas is prohibited. This prohibition of photography or video recording is intended to protect proprietary Company information, processes, and intellectual property. This prohibition of photography or video recording is not intended to, nor does it, undermine or interfere with your right to engage in lawful concerted activity pertaining to your employment.

EMPLOYEE RECORDS

Before any change in an employee's employment data can become effective, documentation of the change must be presented. An employee may not change any employment data for a fraudulent purpose.

Social Security Numbers: The Company requires every employee to have a valid Social Security account number.

Social Security Fraud: It is possible but rare that an employee would be assigned a new or different Social Security account number. Where an employee notifies the Company of a change in the employee's Social Security number, the Company will verify the change with the Social Security Administration (SSA). If the SSA advises the Company that the new SSN is invalid or does not otherwise match the SSA's records, the employee's record will not be changed. Unless the employee can provide other credible evidence supporting its legitimacy, the Company will deem the requested change as an act of attempted fraud, and the employee will be discharged.

Further, the Company investigates an employee's Social Security number if it receives credible evidence from an apparently reliable source that the employee supplied the Company with an invalid number.

ATTENDANCE AND TARDINESS

Good attendance is important to the Company. An employee who is tardy or absent, with or without notifying the Company, may be disciplined or discharged.

The Company normally does not provide employees with transportation to or from work. You must make your own transportation, child-care, and similar arrangements to ensure your regular attendance and prompt arrival at work.

An employee who is absent for two days without notifying the Company is discharged.

SEASONAL LAYOFFS

As the end of the season approaches and the Company's labor needs decrease, the Company lays off employees. A decision concerning the timing of layoffs, with respect to any individual employee, is solely that of the Company. Layoff decisions are made solely for business reasons concerning the Company's need for workers. The Company informs each employee whether the employee qualifies to be recalled when the next seasonal activity starts or is being discharged and not qualified for rehire.

REST PERIODS

All nonexempt employees are authorized, permitted, and encouraged to take rest periods in accordance with these rules. Each authorized rest period is to be taken as close as practicable to the middle of each work period. Authorized rest period time is counted as hours worked and is based on the total hours worked daily at the rate of 10 minutes net rest time per four hours of work or major fraction thereof. **Exception:** No rest period is authorized for an employee whose total daily work time is less than 3½ hours.

MEAL PERIODS

All nonexempt employees are provided with and encouraged to take meal periods in accordance with these rules. Each authorized meal period is 30 minutes long. An employee is relieved of all duty during the meal period, which is not counted as hours worked.

A **first** meal period is provided after an employee has worked no more than five hours in a day. **Exception:** An employee who works no more than six hours in a day may, along with the employer, consent to waive the employee's right to be provided that meal period.

A **second** meal period is provided after an employee has worked no more than 10 hours in a day. **Exception:** An employee who works no more than 12 hours in a day may, along with the employer, consent to waive the employee's right to be provided that meal period.

Meal periods during which operations cease need not be recorded on the employee's time record. Otherwise, the starting and ending time of each authorized meal period must be recorded on a nonexempt employee's time record.

DAY OF REST

Subject to certain exceptions, employees are entitled to one day of rest from employment in each workweek. That means the company generally may neither require nor induce an employee to work on more than six days in a workweek.

The company may, however, require an employee to work on every day of a workweek when the nature of the employee's employment reasonably requires it.

In this situation, the employee will receive one or more days of rest equivalent to one day's rest in seven in the same calendar month.

The exceptions from entitlement to a day of rest are:

- Cases of emergency.
- Work performed in the protection of life or property from loss or destruction.
- A workweek in which an employee works no more than 30 hours and no more than six hours on any workday of that workweek.

This policy does not apply to a situation where an employee freely accepts, without inducement by the Company, an offer to work on all seven days of a workweek. In this situation, an employee is free to decline the offer and would face no retaliation, reprisal, or adverse employment action for declining it. An employee voluntarily choosing to work on all seven workdays of a workweek may be required to sign a form memorializing that choice.

WORKWEEK AND PAYDAYS

The workweek starts on **FIELD(Workweek Begins)** at **FIELD(WkWk Begin Time)** each calendar week. Pay periods are **FIELD(Pay period, weekly, biweekly, semimonthly)** and paid on **FIELD(Payday)**.

(Information about workweeks and paydays are provided by the customer on the order form.)

WORKERS' COMPENSATION INSURANCE

If you incur a work-related injury, you would be entitled to benefits under the California Workers' Compensation Law, as follows:

Medical Care: All authorized medical expenses are fully covered. If you need medical care, you will be referred to a doctor within our Medical Provider Network (MPN). Should you still need care 30 days after reporting an injury and you desire to be treated by another physician, another physician within the MPN will be selected for you.

If, before an injury, you notified the Company in writing of your physician, you may be treated for that injury by that physician.

Temporary Disability: If you are hospitalized or cannot work for more than three days, you would receive money to help replace your lost income.

Permanent Disability: If your injury or illness results in an irreversible loss of function, you would receive money to compensate for it.

Death Benefits: If you die from an injury, your dependents would receive money.

Off-Duty Activities: Neither the Company nor its insurance carrier is liable for the payment of workers' compensation benefits for an injury that arises out of your voluntary participation in any

off-duty recreational, social, or athletic activity that is not a part of your work-related duties.

Important: Immediately notify your supervisor of any work-related injury or illness. You will receive a notice of potential eligibility for benefits and a claim form on which you must describe the circumstances of the injury. You must complete and sign the form and return it to your supervisor.

Discrimination: It is illegal to punish or fire you for having a work injury or illness, for filing a claim, or for testifying in another person's workers' compensation case.

For More Information: For free information about workers' compensation, contact the California Division of Workers' Compensation. Call (800) 736-7401 for recorded information and the location of an Information and Assistance Officer.

WORKERS' COMPENSATION FRAUD

Anyone who knowingly makes a false or fraudulent representation (claim of an injury or illness) to obtain workers' compensation benefits is guilty of fraud. A person found guilty of this offense can be imprisoned in state prison for up to five years, be required to pay a fine of up to \$50,000, and/or be required to pay for any medical evaluation or treatment services. (California Insurance Code § 1871.4.)

EMPLOYMENT BENEFITS

Social Security: Each pay period the Company contributes an amount equal to that withheld from your wages towards social security coverage for future income.

Unemployment and Disability Insurance: The Company contributes a percentage of each payroll to the government for unemployment insurance. When employment ends, you may be eligible for unemployment insurance benefits.

State Disability Insurance & Paid Family Leave: State Disability Insurance and Paid Family Leave are state-required insurance programs paid by employees. Contributions qualify employees to receive partial salary benefits if disabled or unable to work due to an off-the-job injury or illness, to care for a child, spouse, parent, or domestic partner with a serious health condition, or to bond with a new child. Pamphlets covering these programs are available in the office and from the California Employment Development Department.

ACCIDENT PREVENTION

The Company strives to prevent accidents and has a comprehensive program designed to prevent them. All jobs can be performed efficiently and safely. Make accident prevention a part of your job!

CLOTHING AND FOOTWEAR

Wear clothing and footwear appropriate for the job function you are performing. Wear sturdy shoes or boots to protect your feet; no open-toe shoes or sandals may be worn. When working

under the sun, wear a long-sleeved shirt, long-legged trousers, and a hat with a wide brim. When working under wet or rainy conditions, wear outer garments and footwear that repel water.

You are not required to wear any garment or footwear of any distinctive design or color, and you must purchase and maintain at your expense your own garments and footwear.

FIELD SANITATION

Drinking-water, handwashing and toilet facilities are provided as required by law. To protect your health and that of others, follow these good hygiene practices:

1. Use these facilities for drinking, handwashing and elimination.
2. Drink water frequently—especially on hot days and even if you are not thirsty.
3. Urinate as frequently as necessary.
4. Wash hands before and after using the toilet.
5. Wash hands before eating or smoking.

EMERGENCY PROCEDURES

The Company arranges for emergency medical services at the start of each production season. The phone number for emergency medical responders is given to supervisors along with a means to contact them if necessary. Supervisors inform their subordinates of the Company's procedures for providing emergency medical assistance.

Supervisors are responsible for monitoring their subordinates, especially during hot work days, for signs of heat illness. Employees also must be especially aware of signs of heat illness.

EMPLOYEE TRANSPORTATION

The Company does not provide its employees with transportation either to or from work. Employees are responsible for their own transportation to and from work. Employees may enter into voluntary "car-pooling" arrangements with other non-management employees—that is, with employees who are not managers, supervisors or forepersons.

Management and other supervisory personnel, including any employee who directly or indirectly hires, fires, assigns work, evaluates employee performance or otherwise influences decisions about or affects employment status, may neither:

1. Require, force, or coerce any employee to ride with any individual or in any vehicle when the employee is coming to or going from work; nor
2. Transport any employee at any time, unless so authorized in writing by the president, owner, or chief operations manager of the Company.

A supervisor who is so authorized may neither receive nor request from any employee a fee for providing transportation. Any supervisor who is so authorized must: (1) carry adequate motor vehicle insurance; (2) possess the appropriate driver's license for the vehicle used; and (3) maintain the vehicle as required by law.

An employee who believes this policy is being violated should inform the president, owner, or chief operations manager about that concern.

PAID SICK LEAVE

The Company provides paid sick leave in accordance with the law.

VISITORS ON COMPANY PROPERTY

No one may enter Company property or a Company work area unless the person is an employee and is scheduled to work, the person has permission from a Company representative, or the person has the right to take access under federal or state law.

BULLETIN BOARDS

Changes in policy statements, government notices, and other information are posted on one or more conveniently located bulletin boards. Employees should check the bulletin board(s) often for official announcements.

Posting of items on the Company bulletin board(s) without the Company's prior approval is prohibited. Posting of items on other than the Company bulletin board(s) is also prohibited.