

# THE MENDOZA COMPANY EMPLOYEE HANDBOOK 2024



## VISION

***OUR VISION IS TO DELIVER THE BEST QUICK SERVICE RESTAURANT EXPERIENCE. BEING THE BEST MEANS PROVIDING OUTSTANDING QUALITY, SERVICE AND CLEANLINESS, AND VALUE, SO THAT WE MAKE EVERY CUSTOMER IN OUR RESTAURANT SMILE***

## MISSION

***OUR MISSION IS TO ACHIEVE AND CONTINUALLY INSPIRE EXCELLENCE IN PEOPLE DEVELOPMENT, QSC, SALES, AND MAINTAIN PROFITABILITY.***

NORTHERN LIGHTS  
CAMPUS  
EASTLAND  
MAPLE CANYON  
ALUM CREEK  
HARRISBURG PIKE  
CLINTONVILLE  
SINCLAIR ROAD  
FRANKLINTON  
EAST BROAD  
AIRPORT  
LOCKBOURNE  
REYNOLDSBURG  
JAMES ROAD  
CASSADY  
NEW ALBANY  
WESTERVILLE I  
WESTERVILLE II  
COMMUNITY PARK  
MAXTOWN ROAD

**“MAKE EVERY MOMENT GOLDEN!”**  
**WELCOME TO THE MENDOZA TEAM**

The Mendoza Company is an independent, locally owned franchise of The McDonald's Corporation. You have joined one of the greatest brands in the world. We are confident that you will be an important asset to our team and will help us serve the highest quality food and create great experiences for our customers.

By joining the Mendoza Company, you have opened up a world of opportunities. You will learn important life skills such as time management, the ability to teach and coach others and the ability to think on your feet. We will give you a flexible schedule and the opportunity to make friends. We look forward to having you on our team and contributing to the success of the restaurant as well as your own development.

## **ABOUT THIS HANDBOOK**

This employee handbook contains information about the employment policies and practices of The Mendoza Company (hereafter referred to as the Company). We expect each employee to read this handbook carefully as it is a valuable reference for understanding your job and company.

This handbook, however, cannot anticipate every situation or answer every question about your employment. The contents of this handbook do not create an employment contract. In order to retain necessary flexibility, the Company reserves the right to change or revise policies, procedures, and benefits described in this handbook, other than the employment-at-will provisions, without notice, whenever the Company determines that such action is warranted. This handbook supersedes all previous handbooks and statements or policies published or distributed by The Mendoza Company and all inconsistent written or oral statements.

## **EMPLOYMENT AT WILL**

We sincerely hope that your employment relationship with the Company will be satisfying and mutually beneficial. Please be advised that your employment relationship with the Company is at will. This means that you are entirely free to resign at any time, either with or without a reason. It also means that the Company has the very same right as you and can terminate your employment at any time with or without cause or advance notice.

The at will nature of your employment may be modified or changed only in writing, addressed specifically to you, and expressly stating that you are no longer employed at will. Further, only an agreement making this statement, signed by the Mendoza Company's Owner-Operator is valid. No one, including the Owner-Operator, has the authority to make any verbal statements which are legally binding on the Company with respect to altering your "at will" employment status.

Each employee must acknowledge in writing their receipt of these policies and their understanding of the fact that the handbook is not intended as either an express or an implied contract of employment, and their understanding of the fact that they are employed "at-will."

## **EMPLOYMENT ELIGIBILITY VERIFICATION COMPLIANCE**

## **POLICY**

In compliance with the Immigration Reform and Control Act of 1986 ("IRCA") and any other applicable federal, state or local laws, The Mendoza Company is committed to:

- Employing only those who are authorized to work in the US.
- Not discriminate on the basis of national origin or citizenship in hiring, recruiting or terminating employees.

Every employee of The Mendoza Company must adhere to all aspects of this policy. Failure to comply with IRCA may subject The Mendoza Company and any responsible individuals to civil monetary or criminal penalties. Violations of this policy may be grounds for employee discipline, up to and including termination of employment.

All employees must complete Section 1 of the Form I-9 no later than the first day of employment, and must present acceptable documents authorized by the USCIS proving identity and employment authorization no later than the third day after starting employment with the Mendoza Company. The I-9 employment eligibility verification process must be completed for each new employee within the required time frame. There are no exceptions to this requirement.

The Company may not request more or different documents than are required to verify employment eligibility, reject reasonably genuine-looking documents, or specify certain documents over others with the purpose or intent of discriminating on the basis of citizenship status or national origin. U.S. citizens and all other work-authorized individuals are protected from unfair documentary practices.

Employees who do not complete the process within the required time frame will be terminated immediately.

The Company prohibits retaliation against applicants or employees who assert their rights under the anti-discrimination provisions of the Immigration and Nationality Act and/or IRCA.

## **OPEN DOOR POLICY**

In our spirit of willingness to listen, the Company believes in an open door policy. In order to have communication, there must be mutual respect. You are encouraged to see your immediate supervisor with suggestions, questions or problems relating to your job or feelings of well-being. Your supervisor's assistance may involve getting the aid of other resource persons. You also can exercise your privilege of requesting a meeting with the Director of Operations or the Owner.

Please remember – don't keep a problem inside. You can't reach a solution if no one knows about it. You may use this procedure without fear of reprisal.

## **EEO POLICY**

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

## **POLICY REGARDING DISABILITY ACCOMMODATIONS**

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

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

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

## **DISCRIMINATION AND HARASSMENT**

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

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

Prohibited conduct includes, but is not limited to:

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

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

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

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

## **EMPLOYEE RECOURSE – REPORTING PROCEDURE**

The Mendoza Company is committed to enforcing these policies. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If you feel as though you have been subjected to any conduct that you believe violates these non-discrimination, harassment, or retaliation policies, you must promptly contact your supervisor as described below:

- Restaurant employees — any restaurant employee below the Shift Manager or equivalent level who feels subjected to discrimination or harassment as described in this policy should immediately report it to his/her General Manager (i.e., the highest-level manager who works in the restaurant). If the employee is not comfortable bringing the concern to his/her General Manager or the complaint is about the General Manager, the employee should report his/her concern to the owner/operator, the owner/operator's human resources representative, or other person designated by the owner/operator to receive such complaints.
- Department Manager, Manager Trainee, or Shift Manager (or equivalent) who feels subjected to discrimination or harassment should immediately report it to his/her owner/operator, the owner/operator's human resources representative, or other person designated by the owner/operator to receive such complaints.

Your complaint should be as detailed as possible, including the names of all individuals involved and any witnesses. The Company will investigate the facts and circumstances of all claims of perceived discrimination with sensitivity towards confidentiality to the extent consistent with carrying out an appropriate investigation, harassment or retaliation. If requested, all employees are required to participate in any investigation.

We have a Mendoza Employee Feedback line which is always available for your thoughts and questions. If you leave us a message, we'll be sure to get back to you. That number is 1-877-410-5755. You can also email us at [hr@mendozacompany.com](mailto:hr@mendozacompany.com).

If after an investigation the complaint or report is substantiated, and it is determined that an employee has engaged in conduct in violation of policy we will take corrective action, including, but not limited to, disciplinary action against the offender up to, and including, termination.

## **THE MENDOZA COMPANY PROHIBITS RETALIATION**

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

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

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

## **ZERO TOLLERANCE**

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

## **ZERO TOLERANCE POLICY REGARDING EMPLOYEE TREATMENT OF CUSTOMERS, SUPPLIERS AND VENDORS**

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

## **TERMINATION REVIEW POLICY**

The purpose of this policy is to ensure that all termination decisions are made fairly, consistently, and with due consideration of all relevant factors. This cooling-off period allows the Area Supervisor and Human Resources (HR) team to review the circumstances surrounding the potential termination, conduct any necessary investigations, and ensure that all company procedures have been followed. All General Managers must confer with either the Supervisor and or Human Resources regarding all termination due to disciplinary action.

## **DATING, NEPOTISM AND FRATERNIZATION**

While we understand and respect employees' needs to develop personal relationships at work, the following rules apply in order to avoid workplace conduct that may negatively impact the work environment.

### **DATING OR ROMANTIC RELATIONSHIPS**

Employees who have a direct or indirect reporting relationship to each other are prohibited from dating. "Dating" means being involved in any kind of romantic or intimate relationship, and includes, but is not limited to, any sexual relationship or encounter.

### **NEPOTISM**

Claims of favoritism, a conflict of interest, or problems with supervision, safety, security, or morale may exist when relatives have a direct reporting relationship to each other. Generally, relatives may not have a direct reporting relationship to each other. Any exceptions to this policy to minimize the problems of supervision, safety, security, or morale can only be made by the Area Supervisor, Director of Operations, or the Owner.

### **RESTAURANT MANAGEMENT AND CREW EMPLOYEES**

Managers are prohibited from taking any action which would compromise their ability to effectively supervise and/or discipline the employees under their direction. In addition, the Company prohibits managers from purchasing alcohol for any underage crew members, and for any crew members who work in the same restaurant.

### **EMPLOYEE OBLIGATIONS**

\*Any employee who enters into or plans to enter into a dating or romantic relationship that violates this policy must advise his/her General Manager immediately.

\*Relatives who experience a change in employment status and find themselves in a direct or indirect reporting relationship to each other must advise the Area Supervisor, Director of Operations, or the Owner immediately.

\*In order to address a violation of this policy and to minimize problems of supervision, safety, security, or morale, the Company may take such steps as it deems reasonable and appropriate to correct the violation, including but not limited to transferring or reassigning one or both of the employees involved, demoting the management level employee, or terminating the management level employee.

## **CONFIDENTIAL COMPANY INFORMATION**

The Company's confidential and proprietary information is vital to its current operations and future success. Each employee should use all reasonable care to protect or otherwise prevent the unauthorized disclosure of such information including your personal wage information which is private and should remain private.

In no event should employees disclose or reveal confidential information within or outside the Company without proper authorization or purpose. Employees who improperly use or disclose the Company's confidential and/or proprietary information may be subject to discipline, up to and including termination of employment.

Confidential or proprietary information includes, but is not limited to, non-public information regarding the Company's business methods and plans, databases, systems, technology, know-how, marketing plans, business development, products, services, financial statements, financial projections, financing methods, pricing strategies, customer sources, employee health/medical records, system designs, customer lists and methods of competing.

## **EMPLOYEE CLASSIFICATION**

### **EXEMPT**

Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay.

### **NONEXEMPT**

Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

### **FULL-TIME EMPLOYEES**

Regular full-time employees are those who are scheduled for and do work 30 or more hours per week. Depending upon position and duties, regular full-time employees are eligible for most employee benefits described in this handbook.

### **PART-TIME EMPLOYEES**

Regular part-time employees are those scheduled for and work less than 30 hours per week. Part-time employees may be eligible for employee benefits not specified as full time benefits.

## **PROBATIONARY PERIOD/JOB DUTIES**

For the first 60 days of employment are considered as a probationary period for employees. During the introductory/probationary period, your manager will explain your job responsibilities and the performance standards expected of you. Be aware that your job responsibilities may change at any time during your employment. From time to time, you may be asked to work on special projects, or to assist with other work necessary or important to the operation of your department. Your cooperation and assistance in performing such additional work is expected.

After 60 days, employees may meet with their supervisor for a performance review and to decide whether working for our company is the right fit for the employee.

Nothing in this section affect or alters the at will nature of employment. The Company reserves the right, at any time, with or without notice, to alter or change job responsibilities, reassign or transfer job positions, or assign additional job responsibilities.

## **TIMEKEEPING**

Your management team is committed to treating you fairly and with respect. We want to ensure that you are paid for all hours worked, and that our pay practices comply in all respects with all state, federal and local laws. This means that you are entitled to be paid for all time worked, including any overtime. You must always be punched in when you are working. Working off the clock is never permitted. If for any reason, you have not been paid for all hours that you have worked, you should immediately contact your General/Restaurant Manager, or your Owner/Operator and they will assist you in receiving pay for all hours worked.

To make sure that you get paid for all hours that you work, you must clock in before you begin any work and you must clock out only when you have finished all of your work for the day. Do not punch out until your last task is completed. Because it is important that you receive pay for all hours that you work, you must never punch in or out for anyone else and you must never let anyone punch in or out for you.

We all know that mistakes can happen clocking in and out. It is important to correct any mistakes that occur as quickly as possible. Therefore, if you notice that you made a mistake in clocking in or clocking out, or if you notice any other mistakes in your paycheck or on your time punch report as to the hours that you work or the pay you received, please contact your manager immediately. We will then work with you to ensure that you get paid for all hours you worked.

A member of your management team may also notify you if he/she believes there has been an error in recording your time. It is important that you understand the change your manager wants to make and that you agree with your manager before correcting your time record. You may be required to sign any payroll report as requested by your manager, indicating you understand and agree with the correction made.

If, after discussion, you and your manager cannot agree as to what change should be made to correct your time records, then you should call your General Manager so that the issue can be resolved promptly. If you are still unhappy with the resolution, then you should bring it to the attention of your Owner/Operator as soon as possible so that the issue can be resolved and you can receive all of the pay you have earned without any delay.

We take seriously our obligation to pay you for all hours that you work and to follow all legal requirements with regard to meal and rest breaks.

If you believe at any time that a manager is not living up to those obligations, please bring it to the attention of your General Manager, or your Owner/Operator as soon as possible so that we can rectify the situation quickly.

### **OVERTIME**

As necessary, employees may be required to work overtime. A supervisor must previously authorize all overtime work. The Company provides compensation for all overtime hours worked by non-exempt employees in accordance with state and federal law.

Exempt employees are expected to work as much of each work day as is necessary to complete their job responsibilities. No overtime or additional compensation is provided to exempt employees.

## **PAYMENT OF WAGES**

Payday is biweekly on Wednesdays. Paychecks are normally available after 2:00 p.m.

No one other than the employee to whom the check is written will be allowed to pick up a paycheck unless the employee had given written authorization for another person to pick up his or her check.

The Company does not permit advances against paychecks or against accrued vacations.

### **PAYROLL DEDUCTIONS**

The law requires the Company to make certain deductions from every employee's paycheck. Among these are applicable federal, state and local income taxes. The employer must also deduct social security taxes on each employee's earnings up to a specified limit called the social security "wage base". The Company matches the amount of social security taxes paid by each employee.

Eligible employees may voluntarily authorize deductions from their paychecks to cover the cost of participation in various programs, including the cost of dependent insurance coverage.

Occasionally, the Company is court ordered to make deductions from an employee's pay, for reasons such as payment to the IRS, or child support related payments. The Company will comply with applicable state and federal laws regarding garnishment and assignment of wages.

Your paycheck stub or other documentation, where authorized by state or local law, will itemize amounts that have been withheld. It is important that you keep this information for tax purposes. If you have questions concerning deductions made from your paycheck or how they were calculated, please contact the Office Payroll Department.

## **BENEFITS**

### **PERFORMANCE REVIEWS, MERIT INCREASES, PROMOTIONS**

We are committed to maintaining an environment that supports equitable, fair and honest treatment and provides opportunities for advancements to all. McDonald's is a pay for performance company. This means that the better you do your job, the more money you can make.

These Crew Performance Rating Guidelines will help you understand our rating system:

#### **Exceeds Standards**

Performance often exceeds that normally expected for the position. Responds effectively to direction and adjusts to circumstances influencing performance. contributors. **Top** performers

#### **Meet Standards**

Performance meets job requirements and expectations. Responds effectively to direction. Job done well. **Steady** contributors.

#### **Below Standards**

Performance falls short of meeting job requirements and expectations.

Informal performance feedback (written or oral) will be provided on a regular basis.

Performance reviews will be given on an ongoing basis with Wage reviews will be given yearly on your employment anniversary date. The raise will take effect on the first full payroll period following your anniversary date until the maximum is met or exceeded.

In Ohio, wages will be looked at on an individual basis as state minimum wage may be adjusted.

Our pay program guidelines are posted in each crew room.

### **ARCHWAYS TO OPPORTUNITY**

At McDonald's, we believe that education is the true game-changer. We're proud to provide employees with tools and world-class training that help them succeed within our System. Archways to Opportunity is not a one size fits all solution, but an overarching education strategy that meets people where they are.

**Components of Archways to Opportunity include:**

***English Under the Arches***

- An English as a Second Language program that teaches employees the English they need to communicate effectively and confidently with customers and staff every day

***High School Completion***

- Career Online High School allows employees to earn their high school diploma online at no cost.

***College Degree***

- Helping employees find the most efficient and affordable path to a two- or four- year degree.
  - Offering tuition assistance to eligible crew and managers.
  - ACE Credit Recommendations

***Career & Education Advising***

- Helping remove the barriers of returning to school
  - Providing access to free educational and career advising services

For more information visit [www.archwaystoopportunity.com](http://www.archwaystoopportunity.com) or email to [Archways\\_to\\_Opportunity@us.mcd.com](mailto:Archways_to_Opportunity@us.mcd.com) or call 1-800-287-1145

**401 K** - you will be eligible to participate in the Plan when you have completed one (1) Year of Service and have attained age 21 and meet required number of hours.

**VACATION**

Crew members will be eligible for vacation after 2 years of uninterrupted service with the Mendoza Company. When you hit your 2-year anniversary you will receive the vacation outlined here for that current year:

<b><u>Certification/Anniversary</u></b>	<b><u>Paid time off (In Remainder of Year)</u></b>
<b>January - February</b>	<b>5 days ~ 100% of eligible time off</b>
<b>March - May</b>	<b>4 days ~ 80% of eligible time off</b>
<b>June -July</b>	<b>3 days ~ 60% of eligible time off</b>
<b>August - October</b>	<b>2 days ~ 40% of eligible time off</b>
<b>November - December</b>	<b>1 day ~ 20% of eligible time off</b>

A day's pay is determined by taking your average hours worked per week divided by 5 with a maximum of 8 hours per day.

After that year you will receive 1 weeks' vacation each year going forward.

When you hit 5 years of uninterrupted service the vacation will increase to two weeks per year.

The number of hours paid for a week's vacation will be based on the average hours worked per week for the trailing twelve months up to a maximum of 40 hours.

Paid time off is intended as a benefit for employees who are helping us to do business moving forward. Thus, any unused payable time that an employee has accrued will be forfeited if that person leaves our employ. Vacation pay cannot be rolled over into the next year.

Managers and staff see policy in Manager Handbook.

## **MEALS AND REST PERIOD POLICIES**

Managers have been instructed to make sure that all non-exempt employees must take their meal periods and rest breaks. If your Manager does not permit you to take your meal period or rest break, or if you have any questions regarding your meal or rest breaks or paychecks that you do not believe are being responded to adequately by your Manager, you should contact the office, Director of Operations, or the Owner immediately.

### **MEAL PERIODS**

The Mendoza Company takes seriously its obligations to pay you for all hours that you work and to follow all legal requirements with regard to rest and meal periods.

Depending on your shift and your restaurant, you may be entitled to rest and unpaid 30 minute meal periods. You are required to clock out and in for those periods.

If you have any questions about rest and meal breaks, or concerns about whether they are being provided to you in accordance with this policy, please notify your General Manager or Owner-Operator as soon as possible. By working together this way, we can make sure you get to take the rest and meal periods during your shift.

## **EMPLOYEE MEAL POLICY**

### **Mendoza Employee Meal Policy**

As a valued employee, you are entitled to participate in the voluntary Employee Food Discount Program. In doing so, you agree that \$14.00 will be deducted per pay period from your paycheck. Participants are then entitled to eat up to 3 meals on each shift that they work, following these rules:

1. A meal is defined as:
  - a. Breakfast- Sandwich, Hash Brown, Any Drink, Dessert **or** Breakfast Platter, Dessert

- b. Regular Menu- Sandwich or 10 pc Nugget, Any size Fry, Any Drink, Dessert.
2. Meals may be eaten before your shift, after your shift, or during a meal break if you work long enough to receive a break.
3. All food must be placed like a customer as at the register. The manager must ring it in as an employee meal prior to being consumed.
4. Employees are not permitted to make their own food. It will be made by the grill team working.
5. Employees are not permitted to assemble their own food; it will be assembled by the employees working the counter or by the manager.
6. There is absolutely no eating or drinking on the floor. No drinks are to be sitting around. If an employee needs a drink during their shift, they are to ask the manager and with the manager's permission they may take a small soft drink or cup of water to the back, drink it and throw away the cup.
7. All food received under this policy is for the employee's personal consumption only and must be consumed in the restaurant in the crew room or designated area for that restaurant.
8. No employee is ever entitled to food on an off day or a time period they are not scheduled to work.

We have the most generous meal policy in the industry so you can enjoy any of our food when working. Abuse of the policy by sharing food or not following the above guidelines can result in disciplinary action being taken up to and including termination.

## **TERMINATIONS**

If you decide to leave your employment with the Company, we ask that you give at least two weeks' notice. This will give us the opportunity to make the necessary adjustments in our operation. Terminated employees, either voluntary or involuntary, must return all Company-owned property (e.g. computers, vehicles, keys, passwords, uniforms, identification badges, credit cards) at the time of termination.

Terminated employees are entitled to all wages earned during their employment. All terminated employees will be paid in accordance with state and federal laws.

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

The use of alcohol, illegal drugs, intoxicants and the abuse of controlled substances, whether on or off duty, can impair an employee's ability to work safely and efficiently. The Company prohibits the use of these substances to the extent that they affect, or have the potential to affect, the workplace. The Company will not jeopardize the safety of the employee, other employees, our customers, the public, and Company operations due to an individual's poor judgment. Accordingly, the Company prohibits the following:

- Possessing, using, or being under the influence of alcohol or an illegal drug, intoxicant, or abusing a controlled substance during working hours or while on Company business.
- Operating a vehicle owned or leased by the Company while under the influence of alcohol or an illegal drug, intoxicant, or controlled substance.
- Distribution, sale, manufacture, or purchase—or the attempted distribution, sale, manufacture, or purchase—of an illegal drug, intoxicant or abuse of a controlled substance during working hours, while on Company business or while on premises owned or occupied by the Company.

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

Employees who take over-the-counter medication or other lawful medication that can be legally prescribed under both federal and state law to treat a disability must inform their supervisors if they believe the medication will impair their job performance, safety or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication. The employee is not required to identify the medication or the underlying illness. Various federal, state, and local laws protect the rights of individuals with disabilities and others with regard to the confidentiality of medical information, medical treatment, and the use of prescription drugs and substances taken under medical supervision. Nothing contained in this policy is intended to interfere with individual rights under, or to violate, these laws.

## **SMOKING / VAPING**

The Company maintains a smoke-free working environment. Smoking or Vaping is not allowed in the building. See your manager for acceptable smoking areas.

## **WORKPLACE VIOLENCE POLICY**

The Mendoza Company prohibits and will not tolerate any form of workplace violence or abusive conduct by an employee, supervisor, or third party, including vendors or customers both at the workplace and at employer-sponsored events.

As a Company, we are firmly committed to providing a workplace that is free from acts of violence or threats of violence. Although some kinds of violence result from societal problems that are beyond our control, we believe that measures can be adopted to increase protection for employees and to provide a secure workplace. In keeping with this commitment, we have established a strict policy that prohibits any employee from threatening or committing any act of violence in the workplace.

Additionally, employees are strictly prohibited from bringing any weapons or firearms into the Company restaurant and/or workplace areas.

Employees are required to report any incident involving a threat or act of violence or abusive conduct immediately to their General Manager, the Office, Director of Operations, or the Owner. The matter will be immediately investigated and appropriate corrective action will be taken. This may include the imposition of disciplinary action upon any employee violates this policy, up to and possibly including immediate termination.

## **SECURITY**

Security of Company facilities as well as the welfare of our employees and customers requires that every individual be constantly alert to security risks. We have a strict No Solicitation policy in our restaurants. In this regard please note the following:

\*Immediately notify your supervisor of suspicious persons, or persons acting in a suspicious manner, in or around the facility.

\*Immediately notify a supervisor of the loss of keys, security passes or identification badges.

\*Do not lend keys, security passes, or identification badges to anyone who is not authorized to possess them.

\*Do not disclose computer passwords, electronic door codes, or any other security access information to anyone who is not authorized to possess that information.

## **HEALTH AND SAFETY**

The health and safety of employees and others on Company property are of critical concern. We strive to attain the highest possible level of safety in all activities and operations. The Company also intends to comply with all health and safety laws applicable to our business.

To this end, the Company must rely upon our employees to ensure that work areas are kept safe and free of hazardous conditions. Employees should be conscientious about proper work place operating methods and potential dangerous conditions or hazards. Employees should report any unsafe conditions or potential hazards to a supervisor immediately; even if you believe you have corrected the problem. If you suspect a concealed danger is present on Company premises, or in a product, facility, piece of equipment, process or business practice for which the Company is responsible, bring it to the attention of your manager immediately.

Periodically, the Company may issue rules and guidelines governing work place safety and health. The Company may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines as strict compliance will be expected. Contact your manager for copies of current rules and guidelines. Failure to strictly comply with rules and guidelines regarding health and safety or negligent work performance which endangers health and safety will not be tolerated.

## **ENSURING THE SAFETY OF OUR FOOD**

One of the most crucial elements of our business model is ensuring that our food is safe. It is what our customers expect of us—and what we expect of ourselves! You play an important role here because you will be working with and around the food we serve to our customers on every shift. Therefore, we expect the following from you:

1. If you have, or suspect you may have an illness or disease that may be spread through food handling, do not come to work. Instead, call and report this to your General Manager immediately. These illnesses/diseases include, but are not necessarily limited to, Typhoid, Salmonella, Shigella, Hepatitis A, Giardia, Norovirus, Covid, Campylobacter or E.coli. Similarly, if you have come into close contact at work, school, or home with someone who has (or is suspected of having) one of these illnesses, do not come to work. Instead, immediately contact your General Manager to discuss the situation.
2. If you have any cuts or sores on your hands, make sure that they are covered with a bandage and that you wear disposable gloves over the bandage while you are at work.
3. Do not come to work (and follow your restaurant's call-in procedures) if you are suffering from diarrhea, fever, vomiting, jaundice, or fever accompanied by sore throat (unless these symptoms are caused by a medical condition that your medical provider has confirmed will not cause food borne illness—for example a pregnancy-related condition such as “morning sickness”, and you feel capable of working). Please contact your doctor and your General Manager if

- you have any questions about whether your illness requires you to stay home from work.
4. Wash your hands before starting work, after using the restroom, and at all other times described in the food safety crew training module.
  5. Follow all procedures for cooking, preparing, and handling food.
  6. If you become aware of any situation that you think may jeopardize the safety of our food, our customers, or your fellow employees, immediately tell your General Manager about the situation.

## **CUSTOMER RELATIONS**

We are a service business and all of us must remember that the customer always comes first. It is the customer that pays all of our wages. Remember, while the customer is not always right, the customer is never wrong.

Customers are to be treated courteously and given proper attention at all times. Never regard a customer's question or concerns as an interruption or an annoyance. Customer inquiries whether in person or by telephone must be addressed promptly and professionally.

Never argue with a customer. If a problem develops, or if a customer remains dissatisfied, ask your manager or supervisor to intervene.

### **Restroom Use Policy**

Restrooms are provided for the convenience of our customers and are maintained to ensure a clean and safe environment. They are available to paying customers during business hours, with exceptions made at management's discretion for individuals with urgent needs. Employees are expected to monitor, clean, and restock restrooms regularly to uphold health and safety standards. Restroom use must comply with posted rules, and any concerns regarding cleanliness or safety should be reported to management immediately.

## **ATTENDANCE AND SCHEDULE**

### **WORK SCHEDULE**

One of the greatest benefits of working for our organization is a flexible work schedule. Your schedule will be based on a number of factors, including your availability, the needs of the business, and your overall performance and versatility. Due to changes in restaurant needs and employee availability, your work schedule and number of hours will likely vary each week. You work as a team, and from time to time you will want or need

time off, and so will your teammates. Sometimes this will happen unexpectedly. Nevertheless, it is important to provide as much notice as possible, and to accommodate others when you can. Accordingly, you may be asked to come to work on a shift that you were not originally scheduled to work—as others might be asked on your behalf. Obviously, the more notice we have, the less the other team members will be inconvenienced—and the less you will be inconvenienced when it is your turn. All of us value employees who are considerate of their teammates, who assist when needed and when they can, if they are asked to come in, or to work past their scheduled shift. But, out of respect for others, unexcused failures to abide by the procedures set forth below shall result in disciplinary action, up to and including termination.

### **WORK AVAILABILITY**

You are being hired for a specific availability and need for your restaurant. If your availability changes, please notify us in writing at least two weeks in advance, unless that is not practicable. Availability changes must be approved by your GM and can have an effect on your wage and/or hours. At different points throughout the year, we may ask you to update your availability in anticipation of vacations, school schedules, or holidays.

All requests off need to be placed no later than the Sunday prior to the week of the request (one full week in advance). All requests will be considered and when possible they will be honored. Employees need to remember that a request is just that.

### **SCHEDULE POSTING**

Work schedules for the following week will be posted before the beginning of the new work week. You are expected to know your work schedule and follow it. If you need to make a change to your schedule after it has been posted, please contact your General Manager as soon as is practicable, and please make your best effort to find a replacement.

### **CALL IN PROCEDURES**

If you are unable to report for your shift, you must contact the restaurant a minimum of 2 hours before your shift begins, or if you're scheduled for the breakfast shift, the night before. Texting or any form of electronic communication is not permitted. In the event of illness or absence of at least 3 consecutive shifts, your manager may request documentation demonstrating that your absence was for a medical reason or emergency. Obviously, a failure to report means that your teammates will have to pick up the slack, either by having to come in when they were not scheduled, or by having to work with less crew. Unexcused absences will result in disciplinary action, up to and including termination.

### **NO CALL/ NO SHOW**

Should you fail to call in or report to work for a scheduled shift this will be considered an unexcused absence. If there are extenuating, emergency circumstances related to your failure to come to work and to call the restaurant, please contact your General Manager as soon as practicable. If you are a No Call No Show, it will be presumed that you have abandoned your job.

### **TARDINESS**

All employees should report to work on time for their assigned shift. Except in the case of an emergency, if you are going to be late, you must notify the manager in ADVANCE

of your shift's start time. Employees who violate the attendance policy will be subject to discipline, up to and including termination.

### **FMLA/ADA**

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

## **STANDARDS OF CONDUCT**

The Company is committed to guarding employee security, personal safety, and welfare as well as Company assets and operations. Disciplinary action will be taken for engaging in prohibited conduct and it may call for any of the following four steps—verbal warning, written warning, suspension, or termination of employment—depending on the severity of the conduct and number of occurrences. The use of progressive discipline is at the Company's sole discretion and does not alter the Company's policy of at-will employment. There may be circumstances when one or more steps are bypassed, at management's sole discretion. The usual progressive disciplinary procedure followed for an offense is as follows:

**VERBAL WARNING**: An informal warning where supervisor informs the employee of a violation of Company rules. The supervisor may document the verbal warning, depending on severity of offense and the notice of the verbal warning will be filed in the employee's personnel file.

**WRITTEN WARNING**: In situations where a more formal or serious warning is merited, a written summary of the prohibited conduct is given to the employee. A written warning details the violation of Company rules, the required changes in behavior the employee must make and the time frame within which to do so. The employee will sign and receive a copy of this warning. The warning will be filed in the employee's personnel file.

**SUSPENSION**: An employee may be suspended without pay for failure to follow the terms of a written warning or for a serious policy violation or pending investigation of an alleged breach of serious policy.

**TERMINATION**: The final step in the disciplinary process.

This list of prohibited conduct is illustrative only. Other types of conduct detrimental to security, personal safety, employee welfare, or the Company's interests may also be prohibited.

\*Falsified time records, employment applications, hiring documents or intentionally and maliciously falsifying Company business records.

- \*Recording the work time of another employee or allowing any other employee to record your work time, or allowing falsification of any time card, either your own or another's.
- \*Possessing, distributing, selling, transferring, using or being under the influence of alcohol, an illegal drug, or abusing a controlled substance during work time.
- \*Theft, deliberate or careless damage of any Company property or the property of any employee or customer.
- \*Giving away food of any kind or amount.
- \*Unauthorized use of promotional, discount or free food coupons.
- \*Removing or borrowing Company property without prior authorization.
- \*Personal use of Company equipment, materials, or facilities during non-working time.
- \*Provoking a fight or fighting during working hours or on Company property.
- \*Participating in horseplay or practical jokes in the restaurant area while on working time.
- \*Bringing firearms or any other dangerous weapons or materials onto Company property at any time.
- \*Engaging in criminal conduct whether or not related to job performance.
- \*Insubordination or failure to follow Company directives.
- \*The use of profane or abusive language that is insulting, uncivil, malicious or vicious during working time. Employees are responsible for communicating with appropriate business decorum during working hours toward customers and co-workers.
- \*Committing any act of violence or threatening any act of violence.
- \*Failure to notify a supervisor when unable to report to work.
- \*Unexcused absences or tardiness.
- \*Leaving company property while on working time, without prior permission from your manager.
- \*Sleeping or malingering on the job.
- \*Violation of the Company's uniform or grooming policy.

\*Violation of any safety, health, security or Company policy, rule, or procedure.

This statement of prohibited conduct does not alter the Company's policy of employment at will. Either you or the Company may terminate the employment relationship at any time for any or no reason, with or without cause or notice.

## **GROOMING AND APPEARANCE GUIDELINES**

Our image depends in part, on how our employees present themselves to our customers. The employer stresses the importance of maintaining the highest standards possible in all phases of the employer's operation, including standards regarding cleanliness and neatness of all employees. Failure to follow the required grooming and appearance guidelines may be grounds for disciplinary action up to and including possible termination.

1. **PERSONAL HYGIENE**- Maintaining good personal hygiene is one of the ways to ensure that our food is safe. These are some of the things employees need to do:

\*Keep clean by bathing or showering and brushing your teeth every day.

\*Stay neat by wearing a clean uniform and keeping fingernails short.

\*If you have an infectious or contagious illness that may prevent you from serving food or handling food equipment in a sanitary manner contact the General Manager, Supervisor, or Director of Operations.

2. **HAND WASHING**- Using proper hand washing techniques is required by every employee to ensure that our customers receive safe food. Employees must wash their hands for a minimum of 20 seconds at least once every hour with soapy, hot water and:

\*Before entering the kitchen and touching food.

\*After using the restroom.

\*After taking a break.

\*After handling garbage or cleaning supplies.

\*After touching the face, hair, or body.

\*After coughing or sneezing.

\*After smoking, eating or drinking.

\*Any time there is a potential for cross contamination.

3. **UNIFORMS**- Wear the uniform provided by the Company whenever on the job. The entire uniform should always be clean and neat. The uniform consists of a grey Mendoza TShirt, hat, and an apron if in kitchen, provided by Mendoza company. You must also wear black pants, Dark jeans acceptable, and black non-skid shoes. Pants need to fit professionally, no baggy or sagging pants allowed.
4. **NAILS**- Nails must be short, clean, neat and manicured.
5. **HAIR**- Hair must be clean, restrained, off the face, and pinned back or up. If, however, the local health board requirements are stricter, you must follow their standards. Hat or hairnets required on everyone.
6. **FACIAL HAIR**- Men must shave before coming to work. Mustaches and goatees must be neatly trimmed.
7. **COSMETICS**- Cosmetics must be subtle and moderate.
8. **JEWELRY**- Jewelry should be moderate, in good taste, not excessive and not be a safety hazard to the employees or customers. Nothing may be worn on wrists in the kitchen area.
9. **SHOES**- Slip resistant shoes are required for the safety of the employee. Crocs are acceptable if black and without holes.
10. **BUTTONS, TAGS AND OTHER ITEMS** that are pinned or otherwise attached to or displayed on the uniform other than those provided by the Company can detract from the brand image we strive to strengthen through our crew uniforms. Accordingly, employees should not wear buttons that were not provided by the Company.

Your manager will inform you of additional requirements regarding acceptable attire. Certain employees may be required to wear safety equipment or clothing. Your supervisor must approve any deviations from these guidelines.

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

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

### **CASH POLICIES**

The possibility of discrepancies in our cash receipts and registers does exist. We realize that all people occasionally make mistakes. However, this is a serious matter. You will be instructed in the proper methods of handling cash prior to working the counter or drive-thru cashier position by your management team.

Some of the important policies regarding handling of cash include, but are not limited to:

1. You are to work at a cash register only when assigned by management, and then only on the register assigned.
2. All sales are to be rung up when made. Employees must not ring up sales or make change for their personal use.
3. Cash drawers are to be kept closed except when ringing up a sale.
4. Requests for change from customers or other register personnel are to be referred to a manager.
5. We do not cash personal or payroll checks. U.S. traveler's checks may be cashed with a manager's approval only.
6. Managers must be notified for all promo, refunds, or over-rings. You are not allowed to possess or use a manager's password ever.
7. Employees may not borrow money from cash drawers or the restaurant safe.

You are responsible for the money in your drawer. You have the right to count your drawer with the manager present before and after your shift. Employees who have more than one cash shortage of \$5.00 or more or have a large cash shortage over \$10.00 will be subject to discipline, up to and including termination.

## **VOICE MAIL, E-MAIL, WORK PROVIDED APPS AND COMPUTER FILES**

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

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

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

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

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

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

## **ONLINE COMMUNICATIONS POLICY FOR EMPLOYEES**

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

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

- Due to the potential for issues such as invasion of privacy (employee and customer), sexual or other harassment (as defined by our

harassment/discrimination policy), protection of proprietary recipes and preparation techniques, employees may not take, distribute, or post pictures, videos, or audio recordings while on working time. Employees also may not take pictures or make recordings of work areas. An exception to the rule concerning pictures and recordings of work areas would be to engage in activity protected by the National Labor Relations Act including, for example, taking pictures of health, safety and/or working condition concerns or of strike, protest and work-related issues and/or other protected concerted activities.

- Use the Company's (or any of its affiliated entities) logos, marks or other protected information or property for any business/commercial venture without the Owner/Operator's express written authorization.
- Make knowingly false representations about your credentials or your work.
- Create a blog or online group related to the Company (not including blogs or discussions involving wages, benefits, or other terms and conditions of employment, or protected concerted activity) without the advance approval of the Owner/Operator. If a blog or online group is approved, it must contain a disclaimer approved by the Owner/Operator.
- Department Managers, General Managers, Area Supervisors, and office employees may not "friend" or otherwise "invite" crew members on any social media site.

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

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

**Discipline:**

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

## **BULLETIN BOARDS**

Bulletin boards are reserved for the exclusive use of the Company for posting work-related notices or notices which must be posted pursuant to local, state and federal law. From

time to time, special notices and information for employees will be posted by the Company on the bulletin boards. Please check the boards regularly for such notices. Employees are prohibited from posting any material on Company bulletin boards.

## **SOLICITATION AND DISTRIBUTION POLICY**

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

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

Solicitation by an employee is prohibited on company property, including parking lots, during the employee's working time or when the employee being solicited is on working time. Working time is the time employees are expected to be working and does not include rest, meal, or other authorized breaks. Solicitation by employees is also prohibited even when not on working time if such solicitation takes place at any time in the working areas of the restaurant. Solicitation is always prohibited in customer selling areas.

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

## **CELL PHONES AND ELECTRONIC DEVICES**

The use of cell phones and electronic devices is strictly prohibited while on working time. Cell phones must be on silent mode and out of the view of customers. Any emergency calls that the employee receives should come through the restaurant telephone. Employees may use cell phones while on break. No electronic devices can be plugged into any equipment and employee will be responsible for any damage to that equipment. There is never to be a cell phone out particularly in the drive thru cash booth or at any cash register.

No earbuds may be worn while working.

## **EMPLOYEE PROPERTY**

Employees are urged not to bring valuables to work. If necessary to do so, all valuables should be kept in a secure location. The Company assumes no responsibilities for the loss, theft or damage of employee personal property.

To maintain a safe, healthy, and productive work environment, the Company reserves the right at all times to search or inspect employees' surroundings and possessions. This right extends to the search or inspection of clothing, offices, files, desks, credenzas, lockers, bags, briefcases, containers, packages, parcels, boxes, tools and tool boxes, lunch boxes, any employer-owned or leased vehicles, and any vehicles parked on company property.

Employees should have no expectation of privacy while on the Company premises, except in restrooms or locker rooms.

Refusal to allow search or inspection as described here may result in discipline.

## **VIDEO SURVEILLANCE**

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

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

While employees have no expectation of privacy in any of the areas under video surveillance, the Company respects the privacy of its employees. Accordingly, there will be no video cameras installed in the Company's restrooms, locker rooms, break rooms or changing areas.

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

## **EMPLOYEE PARKING**

Employees should park only in the area designated by the manager. The Company is not responsible for any damage to your vehicle or contents of your vehicle while parked on company property.

## **SERVICE/SUPPORT ANIMALS**

The American with Disabilities Act, various state laws and our restaurant policy permit service animals to accompany disabled customers or their trainers inside the restaurant.

If you are not sure whether an animal is a pet or service animal, ask the person with the animal, "Is this a service animal?" If they confirm that it is a service animal:

- Permit the customer or service animal to remain in the restaurant
- Do not ask the customer about his/her disability
- Do not request documentation or any proof that the customer is disabled or that the animal is in fact a service animal
- Do not touch, feed, pet, talk to or make noises directed at the service animal

If the customer states the animal is not a service animal, or if you do not understand their response to your question, ask your manager for assistance immediately.

If the service animal appears to be threatening other customers or otherwise acting in a disruptive manner, you should ask the owner why the animal is acting in this manner BEFORE taking any action.

- If the service animal barks or growls, it may be performing its job by warning its owner of an upcoming seizure or other danger
- If after talking to the service animal's owner, you conclude that the animal is in fact threatening other customers, you should ask the owner to either control the animal or take the animal outside of the restaurant
- Always provide the customer the option of remaining on the premises without the service animal

Please note that even if accompanied by other persons, individuals with a service animal are still permitted to have their service animal with them inside the restaurant.

## **LEAVE OF ABSENCE**

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

## **FAMILY MEDICAL LEAVE ACT/MILITARY LEAVE**

The Mendoza Company provides leave according to the Family and Medical Leave Act of 1993 (FMLA) and follows all aspects of the law as they apply to our company in

accordance with the FMLA. The FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

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

## **THE MENDOZA COMPANY AND WORKING STUDENTS**

To make sure that students' job experience complements their education, the Company supports the following principles.

1. Education is a significant priority. There is no question that, between education and employment, your education comes first.
2. To make sure that education comes first, our organization provides flexible working hours to accommodate classes, homework assignments, and extracurricular activities.
3. Grades and school attendance should never be compromised by excessive or late working hours.
4. Our organization, in collaboration with McDonald's, provides training programs that help develop students' skills and highlight the importance of responsibility and self-discipline.
5. Our organization complies with all laws concerning the employment of minors.
6. We take a leadership role in working with parents, educators, and students on education issues.
7. Our organization believes in supporting education by recognizing our employees' scholastic achievements.

### **LIMITATIONS ON WORKING STUDENTS**

There are federal and state laws that regulate the hours and duties a minor (14/15 year olds and 16/17 year olds) can work. The Company takes its child labor obligations seriously and asks for your cooperation in complying with these obligations. If you have any questions about the laws in your state or related policies and procedures please check with your General Manager, or Owner/Operator.

## **WORKERS' COMPENSATION PROGRAM**

The Company carries workers' compensation insurance coverage as required by law to protect employees who are injured on the job. This insurance provides medical, surgical, and hospital treatment in addition to payment for loss of earnings that result from work-related injuries.

If you are injured while working, you must report it immediately to your General Manager, or Director of Operations regardless of how minor the injury may be. All claims will be investigated.

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

## **ACCOMMODATIONS TO HANDBOOK POLICIES**

If you believe you need an accommodation to any of these policies based on your disability, religion, or any other protected class, please contact the company Human Resource professional at HR@mendozacompany.com.

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

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

## **CONCLUSION**

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

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

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

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

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

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

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

Date \_\_\_\_\_

**(A copy of the Confirmation of Receipt of Handbook will be retained in the employee's personnel file).**

Revised 12/23